













**JOURNAL**  
  
OF  
  
**THE SENATE**  
  
OF THE  
  
**STATE OF GEORGIA.**

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*MONDAY, November 7th, 1831.*

At an annual Session of the General Assembly of the State of Georgia, begun and held at the State House in the town of Milledgeville, on Monday the seventh day of November, eighteen hundred and thirty-one, the following members elect, from the several counties, attended; and the Hon. Thomas F. Anderson having been chosen Chairman, on the motion of the Hon. Jacob Wood, they produced their credentials, and were severally sworn agreeably to the Constitution of this State, and to support that of the United States, by Augustin Smith-Clayton, Esq. one of the Judges of the Superior Courts of said State, and took their seats, to-wit:

From the county of Appling, the hon. Turby F. Thomas.  
From the county of Baldwin, the hon. Samuel Boykin.  
From the county of Baker, the hon. Martin Miller.  
From the county of Bibb, the hon. Ambrose Baber.  
From the county of Bryan, the hon. Geo. W. McAllister.  
From the county of Bullock, the hon. Peter Cone.  
From the county of Burke, the hon. Southworth Harlow.  
From the county of Butts, the hon. John R. Cargille.  
From the county of Camden, the hon. Hugh Brown.  
From the county of Campbell, the hon. James Black.  
From the county of Carroll, the hon. Christopher Bowen.  
From the county of Chatham, the hon. William C. Daniel.  
From the county of Clark, the hon. Thomas Mitchell.

From the county of Columbia, the hon. Archer Avey.  
 From the county of Coweta, the hon. Samuel D. Echols.  
 From the county of Crawford, the hon. John Blackstone.  
 From the county of Decatur, the hon. Daniel O. Neal.  
 From the county of DeKalb, the hon. Jesse F. Cleveland.  
 From the county of Deooly, the hon. David Graham.  
 From the county of Early, the hon. Richard C. Spann.  
 From the county of Effingham, the hon. Israel T. Waldhouer.  
 From the county of Elbert, the hon. Beverly Allen.  
 From the county of Emanuel, the hon. Stephen Swain.  
 From the county of Fayette, the hon. Morton N. Burch.  
 From the county of Franklin, the hon. Thomas F. Anderson.  
 From the county of Glyn, the hon. Daniel M. Stewart.  
 From the county of Greene, the hon. Thomas Stocks.  
 From the county of Gwinnett, the hon. John White.  
 From the county of Habersham, the hon. William B. Wofford.  
 From the county of Hall, the hon. Joseph Dunagan.  
 From the county of Hancock, the hon. Samuel M. Devereux.  
 From the county of Harris, the hon. Daniel McDougald.  
 From the county of Heard, the hon. John M. Ware.  
 From the county of Henry, the hon. Jesse Johnson.  
 From the county of Houston, the hon. James Dean.  
 From the county of Irwin, the hon. Ludd Mobley.  
 From the county of Jackson, the hon. Joseph J. Singleton.  
 From the county of Jasper, the hon. Jesse Loyal.  
 From the county of Jefferson, the hon. George Stapleton.  
 From the county of Jones, the hon. Jonathan Parish.  
 From the county of Laurens, the hon. Edward St. George.  
 From the county of Lee, the hon. Daniel J. Thomas.  
 From the county of Liberty, the hon. Charlton Hines.  
 From the county of Lincoln, the hon. Micajah Henly.  
 From the county of Lowndes, the hon. Randal Folsom.  
 From the county of Madison, the hon. Samuel Groves.  
 From the county of Marion, the hon. A. F. Temple.  
 From the county of Merriwether, the hon. Hugh W. Ector.  
 From the county of McIntosh, the hon. Jacob Wood.  
 From the county of Monroe, the hon. George A. Brown.  
 From the county of Montgomery, the hon. Norman McRae.  
 From the county of Morgan, the hon. Eugenius A. Nisbet.  
 From the county of Muscogee, the hon. Sowell Woolfolk.  
 From the county of Newton, the hon. Jordan Baker.  
 From the county of Oglethorpe, the hon. Edward Cox.  
 From the county of Pike, the hon. Allen W. Prior.  
 From the county of Pulaski, the hon. Nelson Clayton.  
 From the county of Putnam, the hon. Henry Branham.  
 From the county of Rabun, the hon. Samuel Fariss.  
 From the county of Randolph, the hon. William Everett.  
 From the county of Richmond, the hon. Henry Mealing.  
 From the county of Stewart, the hon. Samuel Williams.  
 From the county of Taliaferro, the hon. Leonidas B. Mercer.  
 From the county of Talbot, the hon. George W. B. Towns.  
 From the county of Tattnall, the hon. Samuel D. Surrency.  
 From the county of Telfair, the hon. Jeremiah Wells.

From the county of Thomas, the hon. Duncan Ray.  
 From the county of Troup, the hon. Samuel A. Bailey.  
 From the county of Twiggs, the hon. Benjamin B. Smith.  
 From the county of Upson, the hon. Edward Holloway.  
 From the county of Walton, the hon. Robert M. Echols.  
 From the county of Ware, the hon. James Fulwood.  
 From the county of Warren, the hon. Arthur Muncrief.  
 From the county of Wayne, the hon. Sherrod Sheffield.  
 From the county of Washington, the hon. William A. Tennille.  
 From the county of Wilkes, the hon. Thomas Wooten.  
 From the county of Wilkinson, the hon. Daniel M. Hall.

On motion,

The members present proceeded to the election of their President; and the ballots having been received and counted out, it appeared therefrom, that the hon. Thomas Stocks, Senator elect from the county of Greene, was duly elected.

Whereupon, on motion, a committee were appointed to notify him of his election and to conduct him to the Chair; whence he addressed the Senate and made his acknowledgments.

They then proceeded to the election of their Secretary; and the ballots having been received and counted out, it appeared therefrom that Iverson L. Harris, Esq. was duly elected.

They proceeded in like manner to the election of their Messenger; and on counting out the votes, it appeared that Henry Darnell was duly elected.

The hon. Jacob Bryan, Senator elect from the county of Scriven, appeared and exhibited his credentials, and was sworn by the President of the Senate, agreeably to the Constitution of the State of Georgia and to support that of the United States, and took his seat accordingly.

The Senate resumed their elections, and proceeded to the election of their Door Keeper; and on counting out the votes, it appeared therefrom that Reuben E. Brown was duly elected.

On motion of Mr. Echols of Walton,

It was resolved, that the Secretary inform the House of Representatives that the Senate is organized, and ready to proceed to business; having made choice of the hon. Thomas Stocks, President, and Iverson L. Harris, Esq. Secretary.

Mr. Dunagan notified the Senate, that after to day he would introduce a bill to repeal the 15th section of an act to authorise the survey and disposition of the lands within the limits of Georgia, in the occupancy of the Cherokee tribe of Indians, &c. passed the 21st day of Dec. 1830.

A message was received from the House of Representatives, by William C. Dawson, Esq. notifying the Senate that the House of



Representatives had organized; having elected the hon. Asbury Hull, of the county of Clark, their Speaker, and William C. Dawson, Esq. their Clerk.

Mr. Nisbet offered the following resolution,

*Resolved*, That a committee be appointed on the part of the Senate, to join such committee as may be appointed by the House of Representatives, to wait upon his Excellency the Governor, and inform him that the General Assembly is now organized and ready to receive any communication he may think proper to lay before them.

Which being agreed to, the President appointed as a committee on the part of the Senate, Messrs. Nisbet, Branham and Cox.

On motion of Mr. Harlow,

*It was Resolved*, That the rules of the last Session be adopted for the government of the Senate at the present session, until altered or amended.

Mr. Burch applied for and obtained leave to report *instanter*, a bill to extend the time for fortunate drawers in the land Lotteries of 1818, 1819 and 1821, to take out their Grants, which was read the first time.

A message was received from the House of Representatives, by their Clerk Mr. Dawson, informing the Senate that the House had concurred in the Senate's resolution appointing a committee to wait upon the Governor, and to notify him of the organization of the General Assembly, and had joined as a committee on the part of the House, Messrs. Hudson, Glascock, Mathews, Petit and Greene.

Mr. Nesbit from the joint committee appointed to wait upon the Governor reported, that the committee had performed the duty assigned by the resolution, and received for answer from his Excellency, that he would lay before both branches of the Legislature, his message, on to-morrow, at the hour of 11 o'clock, A. M.

The Senate then adjourned until to-morrow morning 10 o'clock.

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**TUESDAY, 8th Nov. 1831.**

Agreeably to notice, Mr. Dunagan moved for the appointment of a committee to prepare and report a bill to repeal the 15th section of an act to authorise the survey and ~~disposition~~ <sup>disposition</sup> of the lands within the

limits of Georgia, in the occupancy of the Cherokee tribe of Indians &c. passed the 21st day of December, 1830.

*Ordered*, That Messrs. Dunagan, Wofford and Cleveland, be the committee.

Mr. Wood notified the Senate, that after to-day he will move for a committee to be appointed to bring in a bill to extend the Charter of the Bank of Darien, and the acts now of force amendatory thereto.

Mr. Cleveland notified the Senate, that after to-day he will move for the appointment of a committee to bring in a bill to amend the 13th section of the late land act, so as to reduce the time requiring persons to be an inhabitant of this State four years, to three years; and also to repeal the 35th section of said land act, enacted on the 21st Dec. 1830, for the disposition of the Cherokee country, and enforce the immediate survey and occupancy of those lands, agreeable to the provisions of said law.

Mr. Muncrief laid on the table the following resolution:

*Resolved*, That the President now proceed to the appointment of the several standing committees of Senate, to join such as may be appointed by the House of Representatives; when it was

On motion of Mr. Henly,

*Resolved*, That a committee be appointed on the part of Senate to join such committee as may be appointed by the House of Representatives, to form such rules relative to the number that is to compose the joint standing committees, and for the purpose of regulating the intercourse between the two Houses.

Messrs. Henly, Branham and Nisbet, were appointed the committee on the part of Senate, and the Secretary was directed to carry the same forthwith to the House of Representatives for their concurrence.

On motion of Mr. Daniel,

The hon. Senator from the county of Jefferson, had leave of absence granted him for a few days, on account of family indisposition.

Mr. Mealing notified the Senate, that after to day he will move for a committee to prepare and report a bill to amend the law for licencing Pedlars.

Mr. Clayton gave notice, that after to-day he will move for the appointment of a committee to prepare and report a bill to incorporate a Bank in the town of Hawkinsville, in Pulaski county.

Mr. Wood laid upon the table the following preamble and resolutions:

Whereas the re-election of Andrew Jackson to the Presidency of the ~~United States~~, for the next term, is of vital importance to the

best interests of the people, and will tend to perpetuate the happiness and prosperity of our beloved country, as well as preserve unimpaired the "Federal Constitution," for the following reasons:

1st. Because he is a decided and firm friend to the continuance, of the union of these states; "*It must be preserved.*"

2d. Because he has avowed an honest conviction, that the payment of the national debt is the surest means of reconciling conflicting interest, at present existing, and thereby render permanent the blessings we now enjoy. If he is re-elected there is no doubt, that all important object will be accomplished.

3d. Because since he has been President, he has done all in his power to ensure to Georgia the territory now in the possession of the Cherokee Indians; judging therefore by the past, we may confidently rely for the future on his exercising all his influence, to enforce our just rights, and thereby realise to the State the possession of those lands, and her citizens the enjoyment of them; for these and other strong considerations,

*Be it resolved by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby resolved by the authority of the same, That the people of this State look forward with deep solicitude to the re-election of Andrew Jackson to the Presidency of the United States at the ensuing election, and do hereby pledge themselves to support him for that high office. They do not hesitate to declare it as their opinion, that in the disturbed and excited feeling of the country, he is the most fit and proper person to be supported, and do in the most earnest terms recommend him to the people of our sister States, at the approaching election.*

Mr. Swain laid upon the table the following resolutions:

*Resolved, That no member shall be allowed any pay whilst absent, except on account of sickness of himself or family.*

*And be it further Resolved, That the Legislature will adjourn on the 17th of December next, sine die.*

Mr. Wells notified the Senate, that after to day he will move for the appointment of a committee to prepare and report a bill to alter and amend the poor school act now in force, so far as respects the bond given by the Trustees.

The bill to extend the time for fortunate drawers in the land lotteries of 1818, 1819 and 1821 to take out their Grants, was read a second time and ordered to stand for committee of the whole.

Mr. Wood presented a memorial from the Mayor and Alderman and citizens of Darien, asking that a public road may be constructed, either by an appropriation of money or the public lands, from

the confluence of the Oconee and Ocmulgee Rivers to the city of Darien ; which having been read was referred to a special committee, consisting of Messrs. Wood, Wells and Clayton.

Mr. Echols of Coweta, gave notice that after to-day he will move for the appointment of a committee to prepare and report a bill for the purpose of making provisions to compensate Grand and Petit Jurors of this State.

On motion of Mr. Wood,

*Resolved*, That a committee of Privileges and Elections be immediately appointed.

Whereupon, Messrs. Wood, Branham and Nisbet, were appointed that committee.

Mr. Coxe notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to prohibit any chartered or private Bank, or Corporate Company, from issuing any bank bill or bills for circulation, under the sum of five dollars.

Mr. Brown of Camden, laid on the table the following resolution :

*Resolved*, That both branches of the Legislature convene in the Representative Hall on Thursday next, at the hour of 11 o'clock, A. M. to elect seven Judges of the Superior courts of this State, to wit :

One for the Northern Circuit, one for the Western Circuit, one for the Ocmulgee Circuit, one for the Flint Circuit, one for the Southern Circuit, one for the Middle Circuit and one for the Eastern Circuit ; and also an Attorney General for the Middle Circuit, and a Solicitor General for each of the other Circuits.

Mr. Dunagan from the committee appointed, reported a bill to repeal the 15th section of an act, to authorise the survey and disposition of lands within the limits of Georgia, in the occupancy of the Cherokee tribe of Indians, &c. passed 21st day of Dec. 1830 ; which was read the 1st time.

Mr. Fullwood gave notice, that after to-day he will move for the appointment of a committee to prepare and report a bill to change the name of Elisha Jarrel to that of Elisha Wilkerson ; also to change the name of Tabitha Newborn to that of Tabitha Sweat, and to legitimatise the said Tabitha.

The following Message was received from the Governor by Mr. Pierce, his Secretary, to wit :

EXECUTIVE DEPARTMENT, GEORGIA, &  
*Milledgeville, Nov. 8, 1831.*

In obedience to official duty, I proceed to lay before you an account of the transactions of the Executive branch of the Government, during the past year, and to recommend for your consideration, such measures as are deemed beneficial to the State.

The resolutions which were passed immediately previous to the adjournment of your last session, upon the subject of the citation of the Chief Justice of the United States, were carried into effect.

The Indian Tassels, paid the forfeit of his life according, to the demand of the law, which he had violated. A writ of error to stay the proceedings of the Superior court in that case had been sanctioned by the Chief Justice, and like the citation to the Governor, sent through the Post Office to the officer, whose conduct it was intended to control, thereby evincing the disposition not only to disregard the highest powers of the State, but to trifle with its officers, by attempting to deter them from the discharge of what was necessarily a very responsible and painful duty.

Within a few days after the execution of Tassels, a letter was received from John Ross, in which he states, that the Cherokees were about to apply to the Supreme Court of the U. States, for an injunction to restrain the State from exercising jurisdiction over them. This letter was accompanied by a printed paper without signature, purporting to be a bill in equity brought by the Cherokee nation against the State of Georgia.

In a previous message to the Legislature, I had expressed the opinion that the State could not consistently with a proper respect for its own sovereign rights, become a party before any court for the determination of the question, whether it had the power of subjecting the people who reside, within its acknowledged limits, to the operation of its laws. That opinion having remained unchanged, no official notice was taken of this proceeding. The Supreme Court however took jurisdiction of the case, but finally dismissed it upon the ground that the Cherokees were not a foreign nation.

In making this decision the court thought proper to depart from the discussion of the particular point before it, to express opinions exceedingly disrespectful to this State, injurious to its rights, calculated to thwart the policy of the General Government, and to keep alive the excitement which has arisen out of the conduct of our Indian affairs.

The court affirms, that no case could be better calculated to excite its sympathy, than the conduct of Georgia to the Cherokees; that they have been continually deprived of their lands, until they at present retain no more than is necessary for their comfortable subsistence—that they form a State capable of governing themselves;

that the acts of the government recognize them to be a State ; and that the courts are bound by those acts, that they have the unquestionable and hitherto unquestioned right to the lands which they occupy, and intimate to them that it will redress their wrongs when the application is made in proper form.

Permit me to call your attention briefly to these several statements of the court.

And what wrong has Georgia done to its Indian people, to call for this extraordinary sympathy of the court? They are in the peaceable possession of their occupant rights. Intruders have been removed from among them by severe penal laws. None of the burdens of government have been imposed upon them. Instead of being reduced to a remnant of land not more than sufficient for their comfortable subsistence, they are in the possession of near five millions of acres in this State alone, of which the aborigines do not cultivate more than five thousand. They are indeed becoming more and more destitute. Not however, from want of land, but because their situation is unsuitable for the improvement and happiness of an Indian people.

Is it true that the Cherokees have an unquestionable and hitherto unquestioned right to the lands which they occupy? These lands form portions of the territory of the States of N. Carolina, Tennessee, Alabama, and Georgia. That portion which is in Tennessee was ceded by North-Carolina to the United States, upon the express condition, that it should form a common fund for the benefit of the Union, and be applied to the payment of the public debt. That portion which is in Alabama, was sold to the United States by this State, for a valuable consideration, and before any attempt had been made to extinguish the title of the Indians, or to exercise jurisdiction over them. In consequence of which sale it was made a condition of the admission of the State of Alabama into the Union, that it should disclaim any title to the Indian lands within its limits, the United States declaring by law that it had the sole and exclusive power to dispose of them. The United States has acknowledged that this State has both the right of soil and jurisdiction over that portion which is within its limits.

It is difficult to conceive of any proposition tending to more absurd consequences, than that laid down by the court, that any Indian tribe with which the United States forms contracts, to which the term treaty may be affixed, becomes a nation capable of governing itself, and entitled to the recognition of the courts, as States.— It would bring into being hundreds of States, utterly incapable of self defence, or exercising one attribute of National Sovereignty.— If the opinion of the court be correct, then all the territory which was acquired by the original thirteen provincial governments of various Indian tribes, is yet the property of the aborigines, because the treaties by which it was obtained were invalid, not having been made by the King of Great Britain, who alone had the power of entering into national compacts.



Another difficulty equally embarrassing, would arise out of our relations with the Cherokees themselves. A few years ago, the United States removed a portion of that tribe to the West of the Mississippi, and placed them upon the public land, and have since made several treaties with them. Which is now the Cherokee nation, the Indians who reside on the lands of the United States, or those within Georgia? But whatever obligations the United States may have incurred by its contracts with the Cherokees, it has no constitutional authority to limit or in any manner alter the territorial rights, which belong to this State, when it became a member of the Union.

Upon no subject has there been more misrepresentation than in relation to the government of the Cherokees, and the civilization of the people of that tribe. Upon examination it will be found that that the aboriginal people are as ignorant, thoughtless and improvident as formerly, without any of the spirit and character which distinguished them when war was their employment, and their support derived from the forest. That none of them in this State, with the exception of one family, have acquired property, or been at all benefited by the improvements which have been made by others among them: That the Chief, the President of the Council, the Judges, Marshal and Sheriffs, and most other persons concerned in the administration of the Government, are the descendants of Europeans, and many of them citizens of this and the adjoining States: and that the Indians instead of living under their own simple usage and customs, have been compelled to submit to a system of laws and police, wholly unsuited to their condition.

Immediately after the law was passed, authorizing the formation of a guard, forty mounted men were organized under the direction of active and intelligent commanders, and stationed within the territory occupied by the Cherokees, with orders to prevent trespasses upon the Gold Mines, to suppress the authority of the Indian Chiefs, and to remove all white men from among the Cherokees, who did not obtain licenses to continue their residence as required by law. This duty has been performed in a manner which has reflected great credit on the guard and its commanders, and rendered the most essential service to the State. The difficulty of removing lawless persons from the mines, proved to be greater than had been at first anticipated, and was only overcome by the use of the most vigorous measures. The Mines are however situated so far apart from each other, that it has been found impossible to prevent occasional trespasses upon them. This can only be prevented by having them worked under the authority of the State.

An unexpected difficulty has been placed in the way of an efficient protection of the mines, in the decision which has been lately made by the Judge of the Western circuit, that the law which renders it penal for Indians to dig for gold is unconstitutional. It having been made the special duty of the Governor, to take possession of the mines, and to defend them from trespass, and having no doubt about the constitutionality of the law, I considered myself com-

pelled to obey its requirements. Orders were accordingly given to the guard, to arrest all persons who might attempt to dig for gold, leaving it to the judiciary officers to commit or discharge as they might think proper. These orders have as yet prevented intrusions. This will not however continue to be the case, if it should be ascertained that the law may be violated with impunity. There is also reason to apprehend, that the decision of the court has thrown an almost insuperable obstacle in the way of the efforts, which are now making by the United States, to induce the Cherokees to emigrate.

Of the white men who have been residing among the Cherokees, two hundred and three have taken the oath to support the Constitution and laws of the State, and received licenses to continue their residences. A most obstinate and perverse opposition has been made to the authority of the State, by certain persons representing themselves to be religious Missionaries, and particularly those who have acted under the direction of the Board of Foreign Missions in Boston. Although some sectarian zeal was for the moment excited through various misrepresentations of the conduct of the government towards these men, it soon passed away, when it was discovered that they had been as actively opposed to the policy of the General Government, as to the enforcement of the laws of Georgia; that they had been treated with great forbearance; and that they were the mere instruments in the hands of others, of promoting and extending party strife. It is an honorable distinction that belongs to our country, that its citizens are neither prescribed for their religious opinions, nor protected by them from punishment for crime.—Twelve persons have been convicted for illegal residence, and sentenced to confinement in the Penitentiary. They have all been pardoned upon the condition that they would not again offend against the laws, except two of the agents of the Boston Board, who refused to be the subjects of Executive clemency, upon such terms.

The enforcement of the Cherokee laws, has been completely suppressed within this State. No disposition has however been evinced on the part of the Indians, to become members of our community. The mass of the people are indeed not prepared for it, and would no doubt have long since accepted the offers of the United States Government, to give them possession of a territory to the West of the Mississippi, in exchange for their present occupant rights, but for the controlling influence of a class among them, almost exclusively made up of the descendants of the whites; and even that class would perhaps before this time have consented to remove, but for the support and encouragement which they have received from different parts of our country, and the importance which their leaders have acquired, by being made the instruments of exciting the people to oppose the measures of their Government, and directing popular resentment against those who administer it. The State owes it to itself, to put an end to this state of things, so far as it can be done consistently with the rights of the aborigines.

For this purpose I would specially recommend, that you pass laws, requiring under adequate penalties, all the Cherokees who have received reservations in fee, or been paid for their improvements, and who have again settled upon the lands occupied by the tribe within this State, to remove therefrom.

The law for surveying the Cherokee Territory, into sections and districts, has been executed without difficulty. One of the surveyors (Benj. H. Sturges,) failed to perform the duty assigned him.—His bond remains to be sued upon for the return of the public money, which he received and has not accounted for.

The Territory surveyed has been organized by the election of two Justices of the Peace and two Constables in each Section.—The means however are entirely inadequate for the execution of the laws, or the preservation of order. The formation of a county to be composed of all the Territory occupied by the Cherokees within the State, and which now forms parts of the Counties of Carroll, DeKalb, Gwinnett, Hall and Habersham, is perhaps a necessary measure to give protection to the rights of the people and bring into subordination those of the Cherokees who may otherwise disregard the authority of the Government.

The Agent who was appointed to rent the possessions relinquished by Indian Emigrants, has performed that service. According to his report the number of Lessees are ninety-six, and the rent contracted to be paid for the year, seven thousand six hundred and six dollars.

Any attempt to remove the Cherokees during the pendency of their application to the Supreme Court, was considered useless. The opinions expressed by the Court in making its decision, and the use which was made of them, rendered it highly improbable that the General Government could treat successfully with the Chiefs. From information derived from various sources, I was convinced that the Cherokees could not under existing circumstances be removed except by individuals and families. Letters were accordingly addressed to the President and Secretary of War, urging the adoption of this plan, and the right of the State to have the Indians removed from within its limits independently of the success or propriety of the general policy of the U. S., as an act of justice arising from the contract of 1802. You will perceive in the President's answer, his strong desire to gratify the wishes of the State.—Through some oversight in the War Department, the necessary instructions were not made out for opening the offices of emigration, until the present distinguished head of that Department came into office. You will find in the papers which are laid before you, the fullest evidence that the President is now using all the means placed at his command to induce the Cherokees peaceably to relinquish their occupant rights. There is little doubt but that success will be the result of his measures if supported in the proper manner by the authorities of this State. Permit me particularly to recommend, that you pass resolutions authorizing the President to grant reserva-

tions in fee of such quantities of land as may be amply sufficient for their support, to all the Cherokees who are actual cultivators of the soil to any extent, and who may desire to remain within the State and subject to its laws, upon consideration that the United States Government will pay to the State a reasonable valuation therefor.

The law which was passed at your last session, for the survey and distribution of the Cherokee lands, was not to be carried into effect until the title of the Cherokees was extinguished by the President, or until further legislation. As the Indian title has not as yet been extinguished, it will be necessary for you to determine whether any, or what further legislation shall be had upon this subject. Permit me most respectfully to express the opinion, that the condition upon which that law was to go into operation, ought not to be repealed. If it should, and the Cherokee lands distributed according to its provisions, the effect would be, to deprive our Indian population entirely of their possessions without their consent and without any equivalent. The character of the State, the interest of the Union, respect for public opinion, and the rights of the Indians, forbid that so gross an act of injustice should be committed.

Although the rights of soil and jurisdiction are attributes of sovereignty which belonged to the State when it became independent, and with which it has never parted, and in the exercise of which it cannot be constitutionally controlled by the United States, it does not follow that those rights authorize the State to place the Indians beyond its protection, or to take from them their possessions, to be distributed exclusively among another portion of its population.

Copies of Resolutions passed by the Legislatures of several of the States, upon subjects of General concern, are laid before you.—Your attention is particularly called to those from Massachusetts and Connecticut, charging this State with the design of dissolving the Union, because of its express determination not to permit the Supreme Court to control its jurisdiction over crimes committed within its limits. It is much to be regretted that the prejudices and unfriendly feelings which have already been excited among the people of different sections of our country, by jarring and local interests, should be embittered by unnecessary intermeddling of one State with the affairs of another. In what Georgia has done, and what Massachusetts and Connecticut condemn, others have only perceived the fixed resolve of the State to sustain its constitutional rights. Georgia has claimed no right to nullify (in the verbiage of the day) the Acts of the General Government, and only demands an exemption from attempts to control its authority whilst exercised upon such subjects as are within its exclusive jurisdiction.

In the month of May last, the whole of the interior buildings of the Penitentiary were consumed by fire, together with a large quantity of its manufactured articles and raw materials. The guard by

the assistance of the citizens of this place and the officers of the Institution, were enabled to prevent the escape of any of the Convicts. They were immediately employed by the direction of the Inspectors in preparing temporary prisons and work shops, in removing the walls and rubbish of the destroyed buildings, and in aiding the erection of cells for solitary confinement. In consequence of this application of the labor of the convicts and the loss of the materials, which had been prepared for manufacture and which could not be readily supplied, the amount of sales during the past year have been very small and wholly insufficient to support the institution. Seventy-five cells for solitary confinement have been nearly completed.— They are constructed of the most durable materials, and in such manner as effectually to prevent the communication of the prisoners with each other, their escape, and all future risk from fire.

From indications of public opinion in various parts of the State, since the destruction of the buildings of the Penitentiary, there is no doubt but that an effort will be made during your present session, to abandon the system of Penitentiary punishment altogether.— The well being of our community is deeply concerned in the course which you may pursue. The Penitentiary has as yet been encountering the difficulties which are necessarily attendant upon all great and novel undertakings. Its officers have been unexperienced, the buildings unfit for the purposes for which they were designed, and its entire police exceedingly defective. Instead of being fostered as a favorite institution by the State, it has met with constant opposition. It ought not therefore to be matter of surprise, that it has not produced the entire good effects that were anticipated from it. The question for your determination should not be, whether you will abandon the Penitentiary on account of its present defects, but whether it cannot be so improved as to prevent the commission of crimes with more certainty than public whipping, pillory, branding, imprisonment in the common jails and hanging.

It is objected to the Penitentiary that it has been a continued expense to the State. Admitting this to be true, ought the expenditure of a few thousand dollars annually to be a matter of any consideration to the Legislature, in adopting the best means of preserving the reputation, lives, property and personal liberty of every member of the community, from the lawless attacks of the vicious and violent? From the result of the alterations which were made in the government of the Penitentiary three years ago and what has been effected in similar institutions in other States, it is confidently believed that this objection may be removed altogether.

It has also been urged against the Penitentiary, that it has not succeeded in reforming convicts. It may well be doubted whether human institutions can effect much in transforming vicious into virtuous men. But whatever might be effected in reforming convicts, we have had no reason to expect any such consequence from our Penitentiary, because until the appropriation for building cells for solitary confinement, its manner of punishment was only calculated to corrupt and degrade them. All classes have been put to—

cellier in the same rooms at night, and no efficient restraints placed upon their intercourse during the day. The great advantage of the Penitentiary System consists in its withdrawing from the community for a length of time its most vicious members, and so operating upon the imagination and fears of bad men, by its peculiar form of punishment, as to prevent the actual commission of crimes. The habit of idleness and improper associations produce most of the offences against society. It is therefore, that constant compulsory labour and entire seclusion from all intercourse with others, is the most dreadful as well as the most effectual punishment. When it is considered that no state has ever abandoned this mode of punishment, that it has been greatly improved of late years in many of the Institutions of the other States; that in some of them large profits have been realized from the labour of the convicts: and that in others scarcely any instances occur of second commitments; is it not reasonable to ascribe the failure of the Penitentiary in this State rather to the defective manner in which it has been managed, than to the imperfection of the system itself? Is it not due to our character for firmness and consistency of purpose, to make a full and fair experiment before it is abandoned? Ought we to throw away all the valuable experience which we have acquired, and the large amount of capital which has been expended, without a thorough conviction that it cannot be rendered useful? Entertaining these opinions, I feel it my duty most earnestly and respectfully to recommend that the Penitentiary be rebuilt according to the most approved model, that the number of cells for solitary confinement which have been directed to be built be completed; and that the necessary laws for rendering its police effective be passed. In addition to the appropriation which will be required for this purpose, a further sum will be wanting for the purchase of materials for manufacture and the immediate support of the Institution.

The bill which was passed at your last session to regulate the internal police of the Penitentiary, was considered unconstitutional and therefore not signed. The reasons for withholding my signature, together with copies of the bill, accompany this message.

The members of the Guard of the Penitentiary, are at present under no control, because the law which directs the manner of the punishment cannot be enforced. I would therefore recommend that you define specifically what acts of the members of the Guard as such, shall be made criminal, affix to them their proper punishment, and subject them to the Jurisdiction of the Superior Court.

The resolutions which passed at your last session authorizing me to appoint a Board to be composed of three officers, whose duty should be to review the Militia Laws, and recommend such alterations as they might consider necessary to establish a correct system by some inadvertence failed to receive the signatures of the officers of the House of Representatives, and could not therefore be carried into effect.



The returns of the Brigade Inspectors and reports from other officers shew, that the militia is in a state of disorganization throughout the State. The prevalence of the opinion that no effective discipline can be acquired in time of peace, from militia trainings, has created among the people such an indisposition to submit to the requirements of the present laws, as to render it very doubtful whether any additional enactments could be enforced. I would therefore suggest for your consideration whether, instead of devising new plans for improving and enforcing discipline, good policy does not require the repeal of the provisions which experience has shewn cannot be executed beneficially, particularly their present harrassing and useless penalties, and that the whole system be rendered as simple and as easily executed as possible. An enrollment of all persons able to bear arms with an annual review in each county, would it is believed answer all the purposes of a militia system in time of peace, and especially if additional encouragement should be given to the formation of volunteer corps. It is not intended by this recommendation to impugn the truth of the maxim, that the militia of this country form its surest defence. The truth of that maxim does not depend upon the superior discipline which the militia can by any training acquire over regular troops, but the persevering spirit and patriotism with which the citizens of a government who enjoy the advantages of civil and political liberty, will always defend their rights. The question which is presented to you is, whether the burdens of the present militia system, when considered in connection with its inefficiency, does not detract more from the value of our privileges, than any knowledge of the art of war it communicates, adds to their security.

I feel it my duty to call your attention specially to the necessity of reforming the constitution, by equalizing the representation of the people, and reducing the number of the members of the Legislature. In theory all admit that the people are entitled to a general equality of political power, as the surest means of securing to every one an equality of civil rights. From the acquisition of additional territory and the division of the original counties, the rule of representation fixed by the constitution, has become so unequal that one-third of the people are now in the enjoyment, through their representatives, of an equal power in the government of the State, to the other two-thirds. Most of the counties which have thus acquired an undue proportion of power, are in the same section of the state, which, from its climate and soil, must always be sparsely populated, so that the inequality of representation which exists at present, must continue to increase. It is true, that no very injurious consequences have, as yet, proceeded from this inequality, because it has been brought about gradually, and has not until very lately been the subject of public attention and interest. Factions, sectional jealousies, partial laws and the unequal distribution of the public funds, must result from the present state of things, if the minority continue to oppose with success the expressed will of the people for the restoration of the constitution to its true principles. The public good therefore requires that an alteration should be effected as soon as possible. According to the constitution at the time of its formation,

the Senate was composed of twenty-four members and the House of Representatives of sixty-two. At present the Senate has seventy-eight members and the House one hundred and forty-two. The consequences of this change have been an increased expenditure for the support of the government, numerous local and private laws, various inconsistent provisions in the general laws, and an uncertain and varying policy in the conduct of public affairs. It is specially necessary that the present organization of the Senate should be so altered as to reduce the number of its members to what it was originally, and thereby make that body an efficient check upon useless and improvident legislation, and destroy the united action which now takes place between the Senator and Representatives of the counties, and produces our vast superfluity of local and private laws. If two-thirds of the Legislature cannot be induced to vote for an amendment of the Constitution, according to the expressed will of the people upon this subject, I would recommend that it be referred to the people themselves, and that resolutions be passed advising them to elect members to a convention for that purpose.

The Congress of the United States having failed at its last session to accept the terms proposed by the Legislature for the ascertainment of the dividing line between this State and the territory of Florida, I proceeded to cause that line to be run by two commissioners, an artist and surveyor, as directed by your resolutions. The President was informed of the time and place of their meeting to enter upon the discharge of this duty, and in answer stated his intention of laying the subject before Congress at its next session.

The Commissioners after the most accurate examination of the different streams which form the River St. Mary's, and the surrounding country, came to the conclusion upon evidence which is believed to be perfectly satisfactory, that the head of the St. Mary's, as defined in the treaty of 1795, was to be found at the source of its middle or western branch, that stream being longer, having more water and agreeing better with contemporaneous opinion than either of its branches. The quantity of land between the line run by the Commissioners and that from the junction of the Chattahoochee and Flint rivers, to the place designated by Ellicott and the Spanish Commissioners, for the head of the St. Mary's, is one million three hundred thousand acres. Most of it is exceedingly sterile, but intersected occasionally with tracts of very productive soil. Much of that which is valuable has been already sold and granted by the U. States. It will therefore be necessary for you to have the title tried, and to direct the manner in which the territory is to be disposed of, if the determination shall be in favor of the State.

You are referred to the reports of the Superintendents for an account of the extent of road which has been made by the public hands. The expenditures of the superintendents for the three first quarters of the present year have amounted to the sum \$17,518 60. It is estimated, that the annual appropriation of \$20,000 will prove deficient by the sum of \$3000. This deficiency should be supplied as soon as possible.

This State has as yet made no exertions to profit by the great improvements which have been lately made in the means of transportation. Considerable interest has been manifested by the people during the past year upon this subject, which it is hoped will lead to some practical and beneficial result.

I would recommend to your favorable consideration a communication which has been received from a citizen of Hall county, a copy of which accompanies this Message, giving a detailed statement of the present difficulties which obstruct the navigation of the upper part of the Chattahoochee river, an estimate of the expenses of removing them, and the advantages that would result therefrom. Without adopting entirely the views presented in that communication, I would observe that the productions of that portion of the State, which is situated upon the head waters of the Savannah and Chattahoochee rivers, consist of corn, wheat, tobacco, iron and lime, all heavy articles which lose a large portion of their value from the great cost of carrying them to market, and cannot therefore, be made to add their proper proportion to the wealth of the State, or offer the full reward for industry, until the present means of transportation are improved.

During the last summer the Creek Indians on the borders of this State, became infected with the Small Pox. The great alarm which was excited among the people, lest the contagion should extend to them, was increased from the circumstance that the Indians were at that time in a starving condition, and pressing into our limits, particularly the town of Columbus, to procure the means of subsistence.

Various quarantine regulations were adopted by the authorities of that town, to prevent all intercourse between its inhabitants and the persons who were diseased or had been exposed to contagion.

These proceedings were sanctioned by this department, as were similar proceedings, adopted by the Justices of the inferior court of Troup county. The expenses incurred have amounted to the sum of \$904 46. Copies of all the papers upon this subject, are herewith communicated.

The laws for the regulation of quarantine, and to prevent the spreading of contagious diseases, are so indefinite, that it was found exceedingly difficult to determine what duty they imposed upon this department.

The liberality of the Legislature in adding to the endowment of the College, has enabled the Trustees to replace the building which was destroyed during the last year, contract for the erection of a Chapel sufficient for the accommodation of the numerous visitors, who attend the annual College commencement, create two additional Professorships, and fill one which was vacant. There is every reason to hope that the State will be amply repaid for the support

which it has thus given to its principal summary of learning, in the improved capacity of its young men to serve the public faithfully and with ability.

The Trustees have been very much embarrassed by the legal requirement that they should board and educate at the College one poor youth from each county, on account of the failure of the Legislature to provide the necessary funds for that purpose.

The Academic and Poor School Funds continue to be paid away from the Treasury, without any security that they will be applied properly to effect the object, for which they are appropriated. Indeed we appear to have been expending the public money more with the view of expressing our conviction of the importance of education, to a free people, than of actually securing its advantages.— We have been paying sums to Academies that have only an ideal existence, and for the education of the poor, where such a class can scarcely be said to exist, and when all require its advantages.— The annual reports of the Trustees of these funds prove that they have rendered no public benefit, at all, equivalent to the amount which has been expended, notwithstanding that there have been particular instances of the very useful application of both. It may well be doubted whether the present plan of appropriating the public funds to the purposes of education is not radically defective.— If the people are to be educated at the public expense, ought not primary schools to be established in every district and made common to all the children of the State.

The laws upon several subjects of general interest have become so multiplied, and in some instances so contradictory in their provisions, as to render a careful revisal of them exceedingly necessary.— I would call your attention particularly to the defects of our election laws. Of the thousands of election returns annually received at this Department, scarcely one is made in exact conformity with the law. There have been one hundred laws passed upon this subject, during the last six years, each varying in its provisions from the other, without any conceivable object. Perhaps the multiplicity and contrariety of their enactments cannot be more strikingly exemplified than from the fact that eighteen different degrees of punishment were prescribed for the same offence in the laws passed at one session; and that by the law of the last session directing the election of surveyors in each county to survey the Cherokee territory, the Superintendents were directed to make returns under their *hands and seals*, and that in the seventy-six returns which have been received, the law has not been complied with in a single instance.— The duty of this Department in determining upon the legality of elections, is thus rendered exceedingly laborious and difficult. If no commissions are signed except upon the evidence that elections are held in strict conformity with law, the counties will be without officers, and if a different course is pursued, the law becomes nugatory. The best remedy for these difficulties would seem to be the substitution of one general law, of simple and explicit requirements, for all that are now in force upon this subject.

In compliance with the request of the Legislature, I addressed a letter to the Stockholders of the Darien Bank, asking them to state upon what terms they were willing to dispose of their stock to the State. The copy of that letter, together with the answers received, are herewith communicated. The offers of sale have been but few, and at but very small discount. It is believed that the purchase upon any terms would be an exceedingly unprofitable application of the public funds.

I transmit copies of the Reports which have been received from the different Banks.

The notes of our Domestic Banks form at present the entire circulating medium of the State. It is therefore of great importance both to the Government, and the people, that their issues should be so regulated and controlled as to prevent the evils of a vicious currency. Notwithstanding our staple productions have been constantly declining in price for the last ten years, the number of our Banks have been as regularly increasing. And at no time heretofore has Banking privileges been more eagerly sought after, than at present, when our staple commodities are reduced to the lowest price at which they can be produced. There is some reason to apprehend that the desire for the increase of Banks proceeds as much from the spirit of speculation, which the universal habit of trading upon credit, has created among our people, as the necessity for an additional quantity of currency to represent the circulating wealth of the country. Whilst the Government is conferring upon particular corporations the exclusive right of issuing notes to supply the place of specie, it ought assuredly to protect the interest of the people from the improper exercise of such a privilege. It will be perceived by an examination of the Bank Reports of the present and several preceding years, that the issues of each Bank and the whole collectively, have been more than double the amount of specie in their vaults. Every Bank may therefore be considered unable to redeem its notes, in specie, upon any sudden and general demand. The community is not at present suffering any particular injury from this state of things, because of the regular state of our home & foreign market, & the undisturbed quiet of the country. Convulsions in trade will however take place at some time. Upon the first general demand for specie, the Banks must press their debtors, curtail their issues, and perhaps stop payment, and thus bring ruin upon many, and distress upon the whole people.

It is well worthy of your consideration, whether some precaution cannot be used against the occurrence of evils of such magnitude.—For this purpose permit me to suggest to you the policy of making the Banks subject to the payment of a large per cent, upon all sums of their notes, the payment of which may be demanded by the holder, (not being the agent of any other Bank or corporation,) in specie, which they omit, or refuse to comply with.

As however, this remedy might not be very effective, until the

evil to be prevented was actually felt, I would specially recommend that you prohibit the circulation, after a certain length of time, of all Bank notes under the value of five dollars. The effect of this measure will be to make gold and silver to supply the place of the notes, which will be thus excluded from circulation, create a constant supply of specie in the country, and thereby enable the Banks through their debtors to meet occasional pressures upon them for specie, and to render the whole currency whether of Bank notes or coin, of equal value. That part of the community whose money must always be in small notes, who have but little knowledge of the state of the Banks or the genuineness of their bills, would by this measure be in some degree secured from forgeries and failures, from which they must always suffer more in proportion to their means than other classes of the community, so long as Bank notes form the exclusive currency of the State.

The doubt which is entertained of the constitutionality of the law which creates the Central Bank, on account of the authority which it gives to the Directors to issue Bills, would justify an alteration of the law in that respect. The State would also derive from such a measure an additional security against attempts to make issues of the Bank correspond rather with the demands of the people for money, than the quantity of public funds in its possession.

A statement of the warrants drawn upon the Treasury during the past year, is laid before you.

A splendid Map and Atlas of the State of New York, has been by the direction of its Legislature, presented to Georgia, in a manner worthy of the munificence of that State.

I cannot conclude this Message, without calling your attention to the serious public injury which must follow from the number of oaths which are required to be administered by our laws. No truth is better tested by experience than that oaths lose their proper effect upon the consciences and conduct of most men, in proportion to the frequency of their repetition. And yet we continue to divest them of their sanctity, by requiring them to be taken upon all occasions, and for the most trivial purposes. The consequences must necessarily be increasing immorality, and the general insecurity of all public and private rights, the preservation of which in any manner depend upon the testimony of witnesses. The extent of the evil demands an immediate and adequate remedy.

With the strongest desire of maintaining the honor and rights of the State, and promoting the happiness of its people, these various matters are submitted to your consideration,

By your fellow-citizen,

**GEORGE R. GILMER.**

Which having been read, it was on motion of Mr. Muncrief,  
*Resolved*, That two hundred copies of His Excellency the Governor's Message be printed for the use of the Senate



Mr. Singleton notified the Senate that after to-day he will move for the appointment of a committee, to prepare and report a bill to establish common schools throughout the State of Georgia, and to raise a fund for the support of the same out of the lands now in the occupancy of the Cherokee Indians within the chartered limits of the State, including the Poor School Fund.

Mr. Wofford notified the Senate, that he will after to-day move for the appointment of a committee to prepare and report a bill to repeal so much of the penal code of this State, as relates to Penitentiary confinement.

The following communication was received from the Governor by Mr. Pierce, his Secretary:

EXECUTIVE DEPARTMENT, )  
November 8, 1831. )

According to the requirements of the Constitution, I transmit to the Senate a number of sealed packets which have been received at this office, addressed to the President of the Senate and the Speaker of the House of Representatives, supposed to contain the returns of the election for Governor. I have also transmitted the election returns for members of the Legislature from several counties, which appear to contain information in relation to the election for Governor.

Signed, GEORGE R. GILMER.  
*The Honorable the President and Members of the Senate.*

On motion of Mr. Henly,

The President appointed a committee to transmit the election returns accompanying said communication to the House of Representatives, consisting of Messrs. Nisbet and Echols of Walton.

The committee having returned, a communication was brought from the House of Representatives by Mr. Dawson their Clerk, informing the Senate that the House were now ready to receive them in the Representative chamber, for the purpose of proceeding to count the votes received at the late election for Governor, according to the provisions of the Constitution.

Whereupon, the President and members of the Senate proceeded to the Representative Hall and being seated, the President of the Senate and the Speaker of the H. of Representatives, opened, examined and published the returns of said election from the several counties in this State, in the presence of the General Assembly, and it appearing that the Hon. Wilson Lumpkin of the county of Walton, had a majority of the whole number of votes given in, he was accordingly declared duly elected the Governor of this State, for two years next ensuing, by the people thereof.

The President and members of Senate returned to their chamber, when a communication was received from the House of Representatives by Mr. Dawson, their Clerk, informing the Senate that the House had agreed to a resolution appointing Messrs. Day, Powell, Pearman, Chappell and Murray, a committee to join such as might be appointed on the part of Senate, to wait upon the Governor elect and inform him that both branches of the General Assembly had convened in the Representative Chamber, and examined the returns given in for Governor of this State at the late election by the people; from which it appears that he is duly elected Governor for the ensuing two years, and ascertain when it will suit his convenience to attend in the Representative Chamber and take the oath of office.

On motion of Mr. Wood,

The Message was taken up and concurred in by the appointment of a committee on the part of Senate, consisting of Messrs. Wood, Henly and Echols of Walton.

The Senate then adjourned until to-morrow morning 10 o'clock.

### WEDNESDAY, 9th November, 1831.

Agreeably to notice, Mr. Fulwood moved for the appointment of a committee to prepare and report a bill to change the name of Elisha Jarrel to that of Elisha Wilkerson; also to change the name of Tabitha Newborn to that of Tabitha Sweat, and to legitamatize the said Tabitha.

Ordered, That Messrs. Fulwood, Graham and Groves, be that committee.

Agreeably to notice, Mr. Echols of Coweta moved for the appointment of a committee to prepare and report a bill for the purpose of making provisions to compensate Grand and Petit Jurors of this State.

Ordered, That Messrs. Echols of Coweta, Towns and Baber, be that committee.

Agreeably to notice, Mr. Goxe moved for the appointment of a committee to prepare and report a bill to prohibit any chartered or priyate Bank or corporate company, from issuing any bank bill, or bill for circulation, under the sum of five dollars.

Ordered, That Messrs. Cox, McAllister and Harlow, be that committee.

Agreeably to notice, Mr. Wells moved for the appointment of a committee to prepare and report a bill to alter and amend the poor school act now in force, so far as respects the bond given by the Trustees.

Ordered, That Messrs. Wells, Ector and Prior, be that committee.

Agreeably to notice, Mr. Clayton moved for the appointment of a committee to prepare and report a bill to incorporate a Bank in the town of Hawkinsville, in Pulaski county.

Ordered, That Messrs. Clayton, Smith and Dean, be that committee.

Agreeably to notice, Mr. Singleton moved for the appointment of a committee to prepare and report a bill to establish common schools throughout the State of Georgia, and to raise a fund for the support of the same, out of the lands now in the occupancy of the Cherokee Indians within the chartered limits of the State, including the poor school fund.

Ordered, That Messrs. Singleton, Nisbet and Groves, be that committee.

Agreeably to notice, Mr. Wood moved for the appointment of a committee to prepare and report a bill to extend the Charter of the Bank of Darien, and the acts now of force amendatory thereto.

Ordered, That Messrs. Wood, Boykin and Branham, be that committee.

Agreeably to notice, Mr. Mealing moved for the appointment of a committee to prepare and report a bill to amend the law for licensing Pedlers

Ordered, That Messrs. Mealing, Devereux and Hines, be that committee.

Agreeably to notice, Mr. Cleveland moved for the appointment of a committee to prepare and report a bill to amend the 13th section of the late land act, so as to reduce the time requiring persons to be an inhabitant of this State four years, to three years; and also to repeal the 35th section of said land act, enacted on the 21st Dec. 1830, for the disposition of the Cherokee country, and enforce the immediate survey and occupancy of those lands, agreeable to the provisions of said law.

Ordered, That Messrs. Cleveland, Wooten and Wofford, be that committee.

Agreeably to notice, Mr. Wofford moved for the appointment of a committee to prepare and report a bill to repeal so much of the Penal Code of this State, as relates to Penitentiary confinement.

Ordered, That Messrs. Wofford, Nisbet and Tennille, be that committee.

The following communications were received from the Governor by Mr. Pierce, his Secretary, to wit :

EXECUTIVE DEPARTMENT, )  
November 8th, 1831. }

I transmit to the Legislature for its final action the case of Isaiah Gaines, who was convicted at the last March Term of Hall Superior Court, of murder, and sentenced to be hanged on the 6th of May thereafter, the execution of which sentence has been suspended until the 16th of Dec. next.

Signed,

GEORGE R. GILMER.

Which having been read, was referred with its accompanying document, to a select committee consisting of Messrs. Bailey, Avery and Burch.

EXECUTIVE DEPARTMENT, )  
November 8th, 1831. }

The report of the Justices of the Inferior court of Rabun county, who were appointed to investigate the conduct of John Kelly, in disbursing the public money appropriated for the improvement of the Locust Stake Road, is herewith communicated, in order that you may determine whether any or what further proceedings shall be had in that matter.

Signed,

GEORGE R. GILMER.

Which was read and referred together with the accompanying document, to the committee on Finance.

EXECUTIVE DEPARTMENT, )  
8th November, 1831. }

I transmit to the Legislature for its information, the report which has been received from the Agent appointed to investigate the manner in which the Commissioners of Pilotage of Savannah, have performed the duty imposed upon them by the law passed the 19th Dec. 1823.

Signed,

GEORGE R. GILMER.

Which having been read, was also referred to the committee on Finance, together with the documents accompanying the same.

On motion of Mr. Henly,

*Resolved*, That the Secretary of Senate deliver to the petitioners, a petition in favor of Jeremiah Griffin and Pearson Pettit, which petition is now on file in the Secretary's office.

Mr. Baber presented a petition from the citizens of the town of Macon and others thereto subscribed, soliciting the incorporation of a Banking Company, under the name and character of "The Commercial Bank at Macon."

Which was read and referred to a special committee, consisting of Messrs. Baber, Daniell and Towns, with power to report by bill or otherwise.

On motion of Mr. Wofford,

*It was Resolved*, That the President of the Senate be authorised to assign seats within the bar, to such persons as may wish to report the proceedings of the Senate.

Mr. Wood, from the joint committee appointed to wait on his Excellency Wilton Lumpkin, and to inform him of his election as Governor for the term prescribed by the Constitution of this State, reported, that the committee had performed the duty assigned them, and received for answer that he accepts the appointment, and that he will attend in the Representative chamber this day at 12 o'clock, for the purpose of taking the oath of office agreeable to the provisions of the Constitution.

Mr. Wood also moved the following resolution :

*Resolved*, That the committee appointed to wait on the Governor elect, be authorized to make arrangements for his inauguration ; and they are authorised to invite the State House officers, any of our Senators or Representatives in Congress, Judges of the Superior courts, States Attorney and Solicitors General, who are here present, and any other distinguished citizens to attend that ceremony, at the hour appointed, and they have seats prepared for their accommodation.

Mr. Wood further presented a memorial from William Hawthorn of Decatur county, contesting the right of the Hon. Daniel O. Neel to his seat as Senator from Decatur county, which was read, and with the accompanying documents, referred to the committee on Privileges and Elections.

Mr. Allen notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to alter and amend the laws of this State, regulating and defining Patrol duty and for other purposes.

Mr. Anderson notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to repeal the 2d, 3d and 4th sections of an act, passed the 21st Dec. 1830, to appoint eleven additional Trustees of the University of Georgia, and to provide a permanent additional fund for the support of the same, and to declare the number of Trustees which shall be necessary to form a Board, and to authorise a loan of \$10,000 to the Board of Trustees of said University, and to provide for the education of certain poor children therein mentioned.

Mr. Brown of Camden, called up his resolution to bring on certain elections, which was laid upon the table yesterday.

The same having been read, it was again ordered to lie upon the table.

Mr. Cone notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to reduce the salary of the Judges of the Superior Courts of this State.

Mr. Miller notified the Senate, that after to-day he will move for the appointment of a committee to introduce a bill to remove the Court House of Baker county to a more central situation.

Mr. Miller also notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to lay off the county of Baker into election districts.

Mr. Nisbet notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to rebuild the Penitentiary Edifices; to appropriate money for that purpose, and to provide for the government and discipline of the Penitentiary.

Mr. Woolfolk obtained leave to report instantly, the following bills:

A bill to grant purchasers of reserves, fractions and town lots, Grants from the State for the same, free of charge.

A bill to incorporate the Roman Catholic Church of St. Philip and St. James in the town of Columbus and county of Muscogee.

A bill for the relief of Moses Cox; and

A bill for the relief of Thomas G. Gordon.

Which were severally read the first time.

Mr. Ware notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to incorporate Franklin in the county of Heard, and for the better regulation of the same.

Mr. Swain notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to alter and amend an act passed Dec. 23d, 1830, so far as relates to the Free School fund of Emanuel county.

Mr. Mobley notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to fix permanently the site of public buildings in the county of Irwin; and to appoint Commissioners to lay off, sell and dispose of lots in the town of ——— &c. &c.

Mr. Brown of Camden notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report

a bill giving the members of Council of St. Mary's, authority to act as Justices of the Peace.

Mr. Surreney notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to authorise Joseph Collins jr. of Tattnall county, to erect a mill on the Ohoopie river, on his own land.

Mr. Burch notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to change the time of holding the winter session of the Inferior court of Fayette county.

Mr. Hines notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill amendatory of the act passed 18th Nov. 1765, and of the act passed 20th Dec. 1839, regulating Patrols, so far as regards the county of Liberty.

A message was received from the House of Representatives by Mr. Dawson their Clerk, informing the Senate that the House of Representatives had concurred in the resolution of Senate, appointing a committee to determine what number shall compose a joint standing committee, and to regulate the intercourse between the two Houses; and had added as the committee on the part of the House of Representatives, Messrs. Bates, Hudson of Putnam, Murray, Ryan and Hatcher.

Mr. Temples notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to establish two additional election districts in the county of Marion.

At the hour of 12 o'clock A. M. the President and members of Senate, repaired to the Representative Chamber, and being seated, the Governor elect was introduced by the joint committee, attended by Governor Gilmer, the State House officers, Judges of the Superior courts, Solicitors General and other distinguished citizens, when he addressed the General Assembly and took the oath prescribed by the Constitution of the State.

The Governor attended by the committee having withdrawn, the President and members of Senate returned to their Chamber.

When the Senate adjourned until to-morrow morning 10 o'clock.

*THURSDAY, 10th Nov. 1831.*

Agreeably to notice, Mr. Allen moved for the appointment of a committee to prepare and report a bill to alter and amend the laws of this State regulating and defining Patrol duty, and for other purposes.

Ordered, That Messrs. Allen, Hines and McAllister, be that committee.

Agreeably to notice, Mr. Anderson moved for the appointment of a committee to prepare and report a bill to repeal the 2d, 3d, and 4th sections of an act passed the 21st day of Dec. 1830, to appoint eleven additional Trustees of the University of Georgia, and to provide a permanent additional fund for the support of the same, and to declare the number of Trustees which shall be necessary to form a Board, and to authorise a loan of \$10,000 to the Board of Trustees of said University, and to provide for the education of certain poor children therein mentioned.

Ordered, That Messrs. Anderson, Hall and Bowen, be that committee.

Agreeably to notice, Mr. Cone moved for the appointment of a committee to prepare and report a bill to reduce the salary of the Judges of the Superior Courts of this State.

Ordered, That Messrs. Cone, Dunagan and Henly, be that committee.

Agreeably to notice, Mr. Miller moved for the appointment of a committee to prepare and report a bill to remove the Court House of Baker county to a more central situation.

Ordered, That Messrs. Miller, Mercer and Thomas of Lee, be that committee.

Mr. Miller also moved for the appointment of a committee to prepare and report a bill to lay off the county of Baker into election districts.

Ordered, That Messrs. Miller, Thomas of Appling and Surrency, be that committee.

Agreeably to notice, Mr. Nisbet moved for the appointment of a committee to prepare and report a bill to rebuild the Penitentiary Edifices, to appropriate money for that purpose, and to provide for the government and discipline of the Penitentiary.

Ordered, That Messrs. Nisbet, Harlow and Towns, be that committee.

Agreeably to notice, Mr. Ware moved for the appointment of a committee to prepare and report a bill to incorporate Franklin, in the county of Heard, and for the better regulation of the same.



Ordered, That Messrs. Ware, Black and Everitt, be that committee.

Agreeably to notice Mr. Swain moved for the appointment of a committee to prepare and report a bill to alter and amend an act passed Dec. 23d, 1839, so far as relates to the Free School fund of Emanuel county.

Ordered, That Messrs. Swain, Stewart and Parrish, be that committee.

Agreeably to notice, Mr. Mobley moved for the appointment of a committee to prepare and report a bill to fix permanently the site of the public buildings in the county of Irwin, and to appoint commissioners to lay off, sell and dispose of lots in the town of ——— &c. &c.

Ordered, That Messrs. Mobley, Echols of Walton and Spann, be that committee.

Agreeably to notice, Mr. Brown of Camden moved for the appointment of a committee to prepare and report a bill giving the members of Council of St. Mary's authority to act as Justices of the Peace.

Ordered, That Messrs. Brown of Camden, Neel and St. George, be that committee.

Agreeably to notice, Mr. Surrency moved for the appointment of a committee to prepare and report a bill to authorise Joseph Collins jr. of Tattnall county, to erect a mill on the Ohoopie river, on his own land.

Ordered, That Messrs. Surrency, Mitchell and Bryan, be that committee.

Agreeably to notice, Mr. Burch moved for the appointment of a committee to prepare and report a bill to change the time of holding the winter session of the Inferior court of Fayette county.

Ordered, That Messrs. Burch, Prior and Cleveland, be that committee.

Agreeably to notice, Mr. Hines moved for the appointment of a committee to prepare and report a bill amendatory of the act passed 18th Nov. 1765, and of the act passed 20th Dec 1830, regulating Patrols, so far as regards the county of Liberty.

Ordered, That Messrs. Hines, Stewart and McAllister, be that committee.

Agreeably to notice, Mr. Temples moved for the appointment of a committee to prepare and report a bill to establish two additional election districts in the county of Marion.

Ordered, That Messrs. Temples, Woolfolk and Johnson, be that committee.

Mr. Wood notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to regulate the Poor Schools and appropriate funds to support the same, so far as relates to the county of McIntosh.

Mr. Wooten notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to authorise Burrell T. Pope of Clark county, to plead and practice law in the several courts of Law and Equity in this State.

Mr. Dunagan presented the petition of Isaac Pirkle, James Cautrell and Allen Blake, asking compensation for arresting Isaiah Gaines, a fugitive from justice ; which having been read, was referred to a select committee consisting of Messrs. Dunagan, Singleton and White.

Mr. Bailey from the special committee appointed, reported a bill to pardon Isaiah Gaines, which was read the first time.

The following bills were read the 2d time and ordered for committee of the whole :

A bill for the relief of Thomas G. Gordon.

A bill to grant purchasers of reserves, fractions and town lots, Grants from the State for the same, free of charge.

A bill to incorporate the Roman Catholic Church of St. Philip and St. James in the town of Columbus and county of Muscogee.

A bill for the relief of Moses Coxie ; and

A bill to repeal the 15th section of an act to authorise the survey and disposition of lands within the limits of Georgia, in the occupancy of the Cherokee tribe of Indians, &c. passed the 21st day of Dec. 1830.

The Senate resolved itself into a committee of the whole, Mr. Echols of Walton in the Chair, on the bill to extend the time for fortunate drawers in the Land Lotteries of 1818, '19, and '21, to take out their Grants ; and having spent some time therein, the President resumed the Chair, and Mr. Echols reported the bill with amendments.

The Senate took up, and agreed to the report of the committee, and the bill was read the third time and passed.

On motion,

The Secretary was directed to carry said bill forthwith to the House of Representatives.

Mr. Brown of Camden, called up his resolution relative to the election of Judges, an Attorney and Solicitors General of the several Superior courts of this State ; and the same having been amended by substituting " To-day" next at the hour of 11 o'clock A. M.

for the time of electing the Judges ; and Saturday next at the hour of 11 o'clock A. M. also, for the election of an Attorney and six Solicitors General, was agreed to, and the Secretary directed to carry it forthwith to the House of Representatives for their concurrence.

Mr. Wood presented a written communication, relative to the contested seat of the Senator from Decatur county ; which was referred to the committee on Privileges and Elections.

Mr. Woolfolk notified the Senate, that after to-day he will move for the appointment of committees to prepare and report the following bills :

A bill to exonerate the Trustees of the Presbyterian Church in the town of Columbus from the payment of their note due the State of Georgia for part of a lot purchased by them.

A bill to give to the Commissioners of the town of Columbus the entire control of the public hands west of Flint river, and authority to appoint an overseer and assistant for said hands.

A bill for the relief of persons who are indebted to the State for lands.

A bill authorising his Excellency the Governor to order the immediate survey and occupancy of the Cherokee country in this State, and to organize the same.

A bill to grant a Charter to a Rail Road Company from Augusta to Columbus.

A bill to authorise the Governor to issue a Grant to the Roman Catholic Church of Columbus for a lot in the town of Columbus for religious purposes ; and

A bill to incorporate the Lancasterian School Society of Columbus.

On motion of Mr. Spann,

*Resolved*, That the Secretary deliver over the exemplification in the case of Sarah Freeman and Caven Freeman for divorce, now on file in his office.

Mr. Williams notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to incorporate the Stewart county Academy in the county of Stewart, and appoint Trustees for the same.

Mr. Thomas of Lee, notified the Senate that after to-day he will move for the appointment of a committee to prepare and report a bill to divide the county of Lee, &c.

Mr. Ector gave notice, that after to-day he will move for the appointment of a committee to prepare and report a bill to define the duty of Solicitors General in certain cases.

Mr. Ector also gave notice, that after to-day he will move for the appointment of a committee to prepare and report a bill to alter and amend in part the 4th and 8th sections of the first article of the Constitution of the State of Georgia.

And Mr. Ector further notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to repeal that part of the tax law of this State, which requires our free white citizens to pay a pole tax.

Mr. Spann notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to separate and divorce Sarah Freeman and Caven Freeman, her husband.

Mr. Ray notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to incorporate the town of Thomasville in the county of Thomas, and to appoint commissioners for the same.

Mr. Thomas of Lee, notified the Senate that after to-day he will move for the appointment of a committee to prepare and report a bill to appoint commissioners to alter the control and management of that part of the public lands appportioned to Flint River.

Mr. Fulwood from the committee appointed, reported a bill to alter and change the name of Tabitha Newbern to that of Tabitha Sweat, and legitamatize the same; and also to alter and change the name of Elisha Jarrel to that of Elisha Wilkerson, which was read the first time.

Mr. Wells from the committee appointed reported a bill to repeal so much of an act passed on the 22d Dec. 1828, for the better distribution and application of the poor school fund, and to point out the mode of accounting for the disbursment of the academic funds, as relates to the bond required to be given by the Trustee, which was read the first time.

The Senate adjourned until to-morrow morning 10 o'clock.

*FRIDAY, 11th November, 1831.*

Agreeably to notice, Mr. Wood moved for the appointment of a committee to prepare and report a bill to regulate the Poor Schools and appropriate funds to support the same, so far as relates to the county of McIntosh.

Ordered, That Messrs. Wood, Stewart and Spann, be that committee.

Agreeably to notice, Mr. Wooten moved for the appointment of a committee to prepare and report a bill to authorise Burrell T. Pope of Clark county to plead and practice law in the several courts of Law and Equity in this State.

Ordered, That Messrs. Wooten, Williams and Blackstone, be that committee.

Agreeably to notice, Mr. Woolfolk moved for the appointment of a committee to prepare and report the following bills :

A bill to exonerate the Trustees of the Presbyterian Church in the town of Columbus from the payment of their note due the State of Georgia for part of a lot purchased by them.

Ordered, That Messrs. Woolfolk, Baker and Cargille, be that committee.

A bill to give to the Commissioners of the town of Columbus, the entire controul of the public hands west of Flint River, and authority to appoint an overseer and assistant for said hands.

Ordered, That Messrs. Woolfolk, Ray and Loyall, be that committee.

A bill for the relief of persons who are indebted to the State for lands.

Ordered, That Messrs. Woolfolk, McDougald and Muncrief, be that committee.

A bill authorising his Excellency the Governor to order the immediate survey and occupancy of the Cherokee country in this State and to organize the same.

Ordered, That Messrs. Woolfolk, Brown of Monroe and Bailey, be that committee.

A bill to grant a Charter to a Rail Road Company from Augusta to Columbus.

Ordered, That Messrs. Woolfolk, Devereux and Parish, be that committee.

A bill to authorise the Governor to issue a Grant to the Roman Catholic Church of Columbus, for a lot in the town of Columbus for religious purposes.

Ordered, That Messrs. Woolfolk, McRae and Stapleton, be that committee; and

A bill to incorporate the Lancasterian School Society of Columbus.

Ordered, That Messrs. Woolfolk, Folsom and Sheffield, be that committee.

Agreeably to notice, Mr. Williams moved for the appointment of a committee to prepare and report a bill to incorporate the Stewart county Academy in the county of Stewart, and appoint Trustees for the same.

Ordered, That Messrs. Williams, Waldhauer and Holloway, be that committee.

Agreeably to notice, Mr. Thomas of Lee, moved for the appointment of a committee to prepare and report a bill to divide the county of Lee, &c.

Ordered, That Messrs. Thomas, Woolfolk and Miller, be that committee.

Agreeably to notice, Mr. Ector moved for the appointment of a committee to prepare and report a bill to define the duty of Solicitors General, in certain cases.

Ordered, That Messrs. Ector, Towns and Bailey, be that committee.

Agreeably to notice, Mr. Ector also moved for the appointment of a committee to prepare and report a bill to alter and amend in part, the 4th and 8th sections of the first article of the Constitution of the State of Georgia.

Ordered, That Messrs. Ector, Faris and Burch, be that committee.

And agreeably to notice, Mr. Ector further moved for the appointment of a committee to prepare and report a bill to repeal that part of the tax law of this State, which requires our 'free white' citizens to pay a poll tax.

Ordered, That Messrs. Ector, Cagille and Black, be that committee.

Agreeably to notice, Mr. Spann moved for the appointment of a committee to prepare and report a bill to separate and divorce Sarah Freeman and Caven Freeman, her husband.

Ordered, That Messrs. Spann, Smith and Cone, be that committee.

Agreeably to notice, Mr. Ray moved for the appointment of a committee to prepare and report a bill to incorporate the town of

Thomasville, in the county of Thomas, and to appoint Commissioners for the same.

Ordered, That Messrs. Ray, Folsom and Dean, be that committee.

Agreeably to notice, Mr. Thomas of Lee moved for the appointment of a committee to prepare and report a bill to appoint commissioners to alter the controul and management of that part of the public hands apporportioned to Flint River.

Ordered, That Messrs. Thomas of Lee, Thomas of Appling and Neel, be that committee.

Mr. Blackstone notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to give to younger judgment creditors a preference to monies raised on the sale of defendant's property, in certain cases therein specified.

Mr. Stewart notified the Senate, that at a convenient time, he will move for the appointment of a committee to report a bill to add to the number of public hands employed on the roads and rivers of this State, and to provide for their employment at and in the neighborhood of Brunswick in Glynn county, for one year.

Mr. Henly from the joint committee, to whom was referred the formation of a joint rule fixing upon the number that shall compose the joint standing committees,

Reported, That the committee had conferred together and agreed upon the following :

That no joint committee shall consist of more than eight members on the part of Senate and twelve members on the part of the House of Representatives.

The Senate took up the report,

And on motion of Mr. Daniell, amended the same to make the number of members from each House to consist of *eight* ; and having agreed to the same as amended, the Secretary was directed to carry it forthwith to the House of Representatives for their concurrence.

Mr. Cleveland from the committee appointed, reported a bill to amend the 13th and 35th sections of the act passed on the 21st Decr. 1830, providing for the disposition of the Cherokee country ; which was read the first time.

Mr. Coxe from the committee appointed, reported a bill prohibiting the issue or circulating of any post note or Bank note, under the sum of five dollars.

Which was read the first time.

Mr. Woolfolk notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to organize a new division of Georgia Militia.

The following communication from the Comptroller General was presented, thro' the President, to the Senate:

COMPTROLLER GENERAL'S OFFICE, }  
Milledgeville, 11th Nov. 1831. }

*To the honorable the President, and  
Members of Senate.*

I have the honor herewith to transmit to the honorable Senate of the State of Georgia, a statement of the receipts and disbursements of the Treasury, during the political year 1831, viz : from the 1st day of November 1830 to the 31st day of October, 1831.

Respectfully submitted,  
T. B. HOWARD,  
Comptroller General.

Which having been read, was referred, together with the accompanying document to the committee on Finance.

The President also submitted to the Senate, the following communication received from the Treasurer :

TREASURY DEPARTMENT, }  
Milledgeville, 11th Nov. 1831. }

*To the honorable President, and  
Members of the Senate.*

I herewith transmit to your honorable body a statement of the receipts and payments at the Treasury from the 1st of Nov. 1830, to the 31st of October, 1831, inclusive.

There has also been deposited in this Department, by Col. John W. A. Sanford, the State's agent for the rent of Indian improvements and possessions in the Cherokee nation, bonds to the amount of \$6845 40, after deducting his fees, in compliance with the act of the last General Assembly, for their temporary disposal.

Very respectfully,  
HINES HOLT.

Which after having been read, was referred together with the accompanying document to the committee on Finance.

Mr. Mercer presented a petition from a number of the citizens of Warren county, praying to be attached to the county of Taliaferro.



Which was read and referred to a select committee consisting of Messrs. Mercer, Muncrief and Wooten, with power to report by bill or otherwise.

Mr. Cone from the committee appointed, reported a bill to reduce the salary of the Judges of the Superior courts of this State.

Which was read the first time.

A message was received from the House of Representatives, by Mr. Dawson their Clerk, informing the Senate that the House had concurred in the resolution of Senate to bring on the election for Judges of the several Superior courts of this State, this day at the hour of 11 o'clock A. M. ; and the elections of an Attorney and Solicitor's General for the said courts, on Saturday next at the hour of 11 o'clock A. M.

Mr. Burch from the committee appointed, reported a bill to change the time of holding the winter session of the Inferior court of Fayette county,

Which was read the first time.

On motion of Mr. Wood, it was

*Resolved*, That his Excellency the Governor be requested to inform the Senate if there is any record in the Executive office, shewing whether, or if any bond or bonds have been given by the Attorney or Solicitors General of this State, agreeably to the act of 1828, together with any circumstances connected with the same.

Mr. Stapleton notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to authorise the Justices of the Inferior court of Jefferson county, to establish an Asylum for the invalid poor of said county.

A message was brought from the Governor by Mr. Bozeman, his Secretary, informing the Senate of the approval of the resolution bringing on the election of seven Judges of the Superior courts, this day at the hour of 11 o'clock, A. M. and for the election of an Attorney General and six Solicitors General, on Saturday morning next at the hour of 11 o'clock.

A message was received from the House of Representatives by Mr. Dawson their Clerk, informing the Senate that the House of Representatives were ready to receive them in their Hall, for the purpose of proceeding to the elections set apart for this day, agreeably to a concurred resolution.

Whereupon, the President and members of Senate repaired to the Representative Hall.

The members of the General Assembly then proceeded to the election of a Judge of the Superior court for the Northern circuit and on counting out the ballots, it appeared that the hon. William H. Crawford was duly elected.

They then proceeded to the election of a Judge of the Superior court for the Western circuit, and on counting out the ballots, it appeared that Charles Dougherty, Esq. was duly elected.

They proceeded in like manner to the election of a Judge of the Superior court for the Ocmulgee circuit, and on counting out the ballots, it appeared that the hon. Lucius Q. C. Lamar was duly elected.

They then proceeded to the election of a Judge of the Superior court for the Flint circuit, and on counting out the ballots, it appeared that the hon. Christopher B. Strong was duly elected.

They then proceeded to the election of a Judge of the Superior court for the Southern circuit, and on counting out the ballots, it appeared that Lott Warren, Esq. was duly elected.

They then proceeded to the election of a Judge of the Superior courts for the Middle circuit, and on counting out the ballots, it appeared that the hon. William W. Holt was duly elected.

They then proceeded in like manner, to the election of a Judge for the Superior court of the Eastern circuit, and on counting out the ballots, it appeared that the hon. William Law was duly elected.

The President and members of Senate returned to their chamber; when

On motion,

The Senate adjourned until to-morrow morning 10 o'clock.

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*SATURDAY, 12th November, 1831.*

Agreeably to notice, Mr. Blackstone moved for the appointment of a committee to prepare and report a bill to give to younger judgment creditors a preference to monies raised on the sale of defendants property, in certain cases therein specified.

Ordered, That Messrs. Blackstone, Pryor and Bailey, be that committee.

Agreeably to notice, Mr. Stewart moved for the appointment of a committee to prepare and report a bill to add to the number of

public hands employed on the roads and rivers of this State, and to provide for their employment at and in the neighborhood of Brunswick, in Glynn county, for one year.

Ordered, That Messrs. Stewart, Sheffield and Brown of Camden, be that committee.

Agreeably to notice, Mr. Woolfolk moved for the appointment of a committee to prepare and report a bill to organize a new Division of Georgia Militia.

Ordered, That Messrs. Woolfolk, Everitt and Williams, be that committee.

Agreeably to notice, Mr. Stapleton moved for the appointment of a committee to prepare and report a bill to authorise the Justices of the Inferior court of Jefferson county, to establish an Asylum for the invalid poor of said county.

Ordered, That Messrs. Stapleton, Cox and Daniel, be that committee.

Mr. Baber from the committee appointed, reported a bill to incorporate a Banking company under the name of "The Commercial Bank of Macon."

Which was read the first time.

A message was received from the House of Representatives, informing the Senate that the House had disagreed to the report adopted by the Senate, of the joint committee appointed to determine of what number of persons each joint standing committee shall consist.

The Senate took up the message, and on motion, adhered to their amendment.

Ordered, That the Secretary forthwith notify the House of Representatives of the same.

Mr. Mealing notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to change the present mode of voting to that of proclaiming or *viva voce*.

Mr. Clayton from the committee appointed, reported a bill to incorporate a Banking Company in the town of Hawkinsville.

Which was read the first time.

A message was received from the House of Representatives, by Mr. Dawson their Clerk, informing the Senate that the House were ready to receive them in the Representative Hall, for the purpose of proceeding to the elections set apart for the day, agreeably to a concurred resolution, to wit :

One Attorney General and six Solicitors General for the Superior courts of the State.

Whereupon, the President and members of Senate repaired to the Representative Hall.

Both branches of the General Assembly then proceeded to the election of an Attorney General for the Middle circuit, and on counting out the ballots, it appeared that Charles J. Jenkins, Esq. was duly elected.

They then proceeded to the election of a Solicitor General for the Northern circuit, and on counting out the ballots, it appeared that Daniel Chandler, Esq. was duly elected.

They then proceeded to the election of a Solicitor General for the Western circuit, and on counting out the ballots, it appeared that Turner H. Trippe, Esq. was duly elected.

They then proceeded to the election of a Solicitor General for the Ocmulgee circuit, and on counting out the votes, it appeared that Edward Y. Hill, Esq. was duly elected.

The General Assembly suspended further proceedings until 3 o'clock P. M.

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3 o'clock P. M.

The two Houses met, and proceeded by joint ballot to the election of a Solicitor General for the Flint circuit, and the votes being counted out, it appeared that Washington Poe, Esq. was duly elected.

They then proceeded to the election of a Solicitor General for the Southern circuit, and on counting out the ballots, it appeared that Stephen F. Miller was duly elected.

And they then proceeded to the election of a Solicitor General for the Eastern circuit, and on counting out the ballots, it appeared that Joseph W. Jackson was duly elected.

The President and members of Senate returned to their chamber, and

The Senate adjourned until Monday morning 10 o'clock.

MONDAY, 14th November, 1831.

Agreeably to notice, Mr. Mealing moved for the appointment of a committee to prepare and report a bill to change the present mode of voting to that of proclaiming or *viva voce*.

Ordered, That Messrs. Mealing, Avery and Allen, be that committee.

Mr. Wofford from the committee appointed, reported a bill to abolish Penitentiary confinement in this State except in certain cases, and for other purposes therein specified.

Which was read the first time.

Mr. Wofford also notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to incorporate the North American Mining Company.

Mr. Hines from the committee appointed, reported a bill amendatory of the act entitled "an act to amend an act regulating Patrols, passed 18th Nov. 1765, so as to vest the appointment of Patrols in the Justices of the Peace," so as to allow them compensation for certain services; and for other purposes, so far as respects the county of Liberty.

Which was read the first time.

On motion,

The hon. Senators from the counties of Talbot, Hancock and Lowndes, had leave of absence for a few days.

Mr. Swain from the committee appointed, reported a bill to alter and amend an act passed 23d Dec. 1830, so far as respects the Free School fund of Emanuel county.

Which was read the first time.

Mr. Faris notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to carry into effect the first section of the 3d article of the Constitution of this State, so as to give the election of the Judges of the Superior courts, to the people of their respective Judicial circuits, over which they may be elected to preside.

Mr. Spann from the committee appointed, reported a bill to separate and divorce Sarah Freeman and Caven Freeman, her husband.

Which was read the first time.

Mr. Cone notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to reduce the pay of the members of the Legislature of this State.

Mr. Cone also laid upon the table the following resolution :

*Resolved*, That the hour of 12 o'clock on Saturday next, be set apart for the election of Secretary of State, Comptroller General, Treasurer and Surveyor General of the State of Georgia.

Mr. Prior notified the Senate, that after to-day he would move for the appointment of a committee to prepare and report a bill making it the duty of the Clerks of the Inferior courts of the different counties in this State to claim Estrays in certain cases, for their respective counties, when levied on by executions.

Mr. Prior also notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to compel the Judges of the Superior courts of this State, to alternate with each other in their different circuits.

Mr. Mitchell notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to lay out the Gold region in the Cherokee lands into small lots and to dispose of the same by separate Lottery.

Mr. Cleveland notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to lay off and divide this State into Congressional Districts.

Mr. Everitt notified the Senate that after to-day he will move for the appointment of a committee to prepare and report a bill placing the public lands stationed on Flint river, under the direction of certain Commissioners.

Mr. Everitt also notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to make permanent the public site in the county of Randolph.

Mr. Wells notified the Senate, that after to-day he would move for the appointment of a committee to prepare and report a bill to compensate one of the Superintenders of each election district, who shall meet at the Court House, for the purpose of consolidating the returns.

Mr. Daniell notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill for the construction of a canal from the termination of the Savannah and Ogeechee canal to the Chattahoochee river.

On motion of Mr. Dean, it was

*Resolved*, That the Secretary of Senate, be required to deliver to Burwell Kendrick, the exemplification, in the case of Burwell Kendrick, vs. Lucy Kendrick, libel for divorce, now of file in his office.

Mr. Dean notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to al-

ter and change the names of James Lupo and Jameson Lupo, to that of James Watson and Jameson Watson and to legitamatize the same.

Mr. Dean also notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to separate and divorce Burwell Kendrick and Lucy Kendrick, his wife.

Mr. Bowen notified the Senate, that after to day he will move for the appointment of a committee to prepare and report a bill to create an election district in the county of Carroll, and to punish those who may attempt to defeat the same.

Mr. Bowen also notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to compel all county officers holding public monies, to keep a book of record of receipts and expenditures of the same.

Mr. McAllister notified the Senate that after to-day he will move for the appointment of a committee, to prepare and report a bill to incorporate the Bryan neck Church in the county of Bryan, and to appoint Trustees for the same.

Mr. Surrency from the committee appointed, reported a bill to authorise Joseph Collins, jr. of Tattnall county, to construct a mill dam across the Ohoopie river upon his own land.

Which was read the first time.

Mr. Stapleton from the committee appointed, reported a bill to authorise the Justices of the Inferior court of Jefferson county, to establish an Institution for the invalid poor of said county.

Which was read the first time.

Mr. Williams from the committee appointed, reported a bill to incorporate the Stewart county Academy in the county of Stewart; and appoint Trustees for the same.

Which was read the first time.

Mr. Williams also notified the Senate, that he will after to-day move for the appointment of a committee to prepare and report a bill requiring the Treasurer of Randolph county, to pay over certain money to the Treasurer of Stewart county, arising from the sale of town lots, &c.

Mr. Woolfolk from the committee appointed, reported the following bills :

A bill to create and form a new Judicial circuit out of the Chattahoochee and Southern circuits.

A bill to authorise the issuing of a Grant to the legal holder of any certificate for reserve, fraction or town lot, free of charge, from the State.

A bill to exempt the Trustees of the Presbyterian Church in the town of Columbus, from the payment of the balance due the Central Bank for a lot which they have purchased for religious purposes.

A bill to vest in the Intendant and Commissioners of the town of Columbus and their successors, the controul of the public hands in that vicinity; and

A bill to authorise the Governor to issue a Grant to the Roman Catholic Church of St. Philip and St. James, for a lot in the town of Columbus, for religious purposes.

Which were severally read the first time.

Mr. Muncrief called up his resolution laid upon the table on the 8th inst. relative to the appointment of the several joint standing committees, on the part of the Senate.

And the same having been agreed to, the President made the following appointments :

*On the State of the Republic.*

Messrs. Harlow, Daniell, McDougald, Nisbet, Towns, Branham, Wood, Hines, Wofford and Burch.

*On Finance.*

Messrs. Wooten, Mitchell, Tennill, Woolfolk, Brown of Monroe, Bowen, Coxe, Groves, Baber, Cleveland.

*On Banks.*

Messrs. Branham, Boykin, Singleton, Wooten, Daniell, Ector, Spann, Muncrief, Loyall, McDougald.

*On the Judiciary.*

Messrs. Nisbet, Bailey, Henly, Towns, Pryor, Burch, Ector Stapleton, Baker, Folsom.

*On Agriculture and Internal Improvement.*

Messrs. Allen, Mitchell, Stewart, Hall, Dunagan, Mealing, Avery, Wood, Woolfolk and Miller.

*On Public Education and Free Schools.*

Messrs. Muncrief, Baber, Singleton, Mercer, Henly, Devereux, Waldhauer, St. George, Smith, Williams and Surrency.

*On the Penitentiary.*

Messrs. Tennille, Thomas of Appling, McAllister, Ray, Swa Echols of Walton, Parish, Holloway, Neel and Thomas of Lee.

*On the Military.*

Messrs. Anderson, Holloway, Barley, McAllister, Wofford, Thomas of Appling, Echols of Walton, Dunagan, Everitt and Echols of Coweta.



*On Printing.*

Messrs. McDougald, Mitchell, Anderson, Bryan, Sheffield, Bowen, Spann, Loyall, Groves and White.

*On Enrollment.*

Messrs. Brown of Camden, Bryan, Stewart, Ray, Waldhauer, Cone, Dean, McRae, Sheffield and Graham.

*On Engrossed Journals.*

Messrs. Stapleton, White, Prior, Hall, Cleveland, Faris, Cargille, Clayton and Dean.

*On Petitions.*

Messrs. Swain, Clayton, Blackstone, Black, Fulwood, Johnson, Mobley, Temples, Wells and Ware.

On motion of Mr. Nisbet,

*Resolved*, That so much of his Excellency the Governor's annual communication as relates to the Cherokee lands and the Cherokee tribe of Indians, be referred to the joint committee upon the State of the Republic ; so much thereof as relates to the resolutions from the States of Massachusetts and Connecticut, and from other States, to the joint committee upon the State of the Republic ; so much as relates to the inequality of the representation of the people, in the General Assembly, to the committee on the State of the Republic ; so much thereof as relates to the Penitentiary, to the joint committee upon the Judiciary ; so much thereof as relates to Public Education and Free Schools, to the joint committee upon Public Education and Free Schools ; so much thereof as relates to the Militia laws of force in this State, to the joint Military committee ; so much thereof as relates to Banks, to the joint committee upon Banks ; so much thereof as relates to the Florida line, to the joint Judiciary committee ; so much thereof as relates to roads and Internal Improvements to the committee upon Agriculture and Internal Improvement and so much thereof as relates to the Election laws, to the joint Judiciary committee ; so much thereof as relates to oaths, to the committee upon the Judiciary ; and so much as relates to Quarantine Laws, to the committee upon Finance.

Mr. Spann notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to make null and void all contracts entered into between parties plaintiff or defendant and Attorneys at Law, where the Attorney shall fail to attend to the suit in person, until the rendition of a Judgment.

Mr. Temples notified the Senate, that after to-day he will move for the appointment of a committee to report a bill to have a part of what was originally Muscogee, now Marion county, surveyed and the lines distinctly marked.

Mr. Johnson notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to incorporate Harmony Academy, in the county of Henry, and to appoint Trustees for the same.

Mr. Allen notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to amend an act to appoint commissioners for the better regulation and government of the town of Petersburg.

Mr. Smith presented the petition of a number of citizens residing in East-Macon, Bibb county, praying the incorporation of a Bank under the name and style of "The Planters Bank of East-Macon."

Which was read and referred to a select committee, consisting of Messrs. Smith, Stewart and Cleveland, with power to report by bill or otherwise.

Mr. Boykin notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to separate and divorce Ariana B. Drumans, from her husband John S. Drumans.

Mr. Wooten from the committee appointed, reported a bill to authorise Barwell T. Pope of Clark county, and John Berry of Butts county, to plead and practice law in the several courts of Law and Equity in this State.

Which was read the first time.

On motion of Mr. Stapleton,

*Resolved*, That his Excellency the Governor be, and he is hereby respectfully requested to report to this branch of the General Assembly, all the information in the Executive office relative to any proceedings which may have been instituted in the nature of a quo warranto by the Attorney General of the State, against the President and Directors of the Ogeechee Navigation Company; which proceedings were directed by a joint resolution of the General Assembly, passed 11th Dec. 1830,

Mr. St. George notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill for two election precincts in Laurens county.

Mr. Williams notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill authorising James K. McLeod, to establish a ferry across the Chatahoochee river on his own land.

The following bills were read the second time and ordered for committees of the whole;

A bill to pardon Isaiah Gaines.

A bill to alter and change the name of Tabitha Newborn to that of Tabitha Sweat, and legitamatize the same; and also to alter and change the name of Elisha Jarrei to that of Elisha Wilkerson.

A bill to repeal so much of an act passed on the 22d Dec. 1828, for the better distribution and application of the Poor School fund, and to point out the mode of accounting for the disbursement of the

**Academic Fund**, as relates to the bond required to be given by the Trustee.

A bill to amend the 13th and 35th sections of the act passed on the 21st Dec. 1830, providing for the disposition of the Cherokee country.

A bill prohibiting the issue or circulating of any post note or Bank note under the sum of five dollars.

A bill to reduce the salary of the Judges of the Superior courts of this State.

A bill to change the time of holding the winter session of the Inferior court of Fayette county.

A bill to incorporate a Banking Company under the name of "The Commercial Bank at Macon," and

A bill to incorporate a Banking Company in the town of Hawkinsville.

The bill to repeal the 15th section of an act entitled, an act to authorise the survey and disposition of lands within the limits of Georgia, in the occupancy of the Cherokee tribe of Indians, &c. passed the 21st day of Dec. 1830, was made the order of the day for Thursday next.

The Senate resolved itself into a committee of the whole, Mr. Allen in the Chair, on the bill to grant purchasers of reserves, fractions and town lots, Grants from the State for the same, free of charge; and having spent some time therein, the President resumed the Chair, and Mr. Allen from the committee, reported recommendation from the committee, that the bill do lie upon the table for the balance of the session.

The Senate took up and agreed to the report.

So the bill was ordered to lie upon the table the balance of the session.

The Senate resolved itself into a committee of the whole, Mr. Anderson in the Chair, on the bill to incorporate the Roman Catholic Church of St. Philip and St. James in the town of Columbus and county of Muscogee; and having spent some time therein, the President resumed the Chair; and the bill was reported without amendment.

The Senate took up and agreed to the report, and the bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, Mr. Baber in the Chair, on the bill for the relief of Moses Cox; and having spent some time therein, the President resumed the Chair; and the bill was reported without amendment.

Ordered, That the report lie on the table for the present.

The following message was received from the House of Representatives, by Mr. Dawson, their Clerk:

The House of Representatives have agreed to a resolution requiring the Treasurer to transmit to the Central Bank, all bonds and notes which may be now in his office, given for the rent of improvements in the Cherokee country.

They have also agreed to a resolution, appointing a committee on the part of the House of Representatives, to join such committee as may be appointed on the part of the Senate, to take into consideration what amount of money will be required to be inserted in the appropriation law of this session, for the compensation of the several individuals engaged in taking the Census of the different counties of this State, and have appointed on their part, Messrs. Murray, Willis, Cleveland, Jones of Jackson and Ashley.

To which they desire the concurrence of the Senate.

The House of Representatives have also appointed the following standing committees, to join such as may be appointed by the Senate, to wit :

*On the State of the Republic.*

Messrs. Howard, Bates of Hall, Young of Oglethorpe, Glaseock, Mathews, Hudson of Putnam, Burney, Pearman, Meriwether, Warner, Powell and Williams.

*On the Judiciary.*

Messrs. Myers, Chappell, Hatcher, King, Greene, Jackson, Terrell, Hutchins, Pettit, Jones of Jackson, Ward and Harralson.

*On Public Education.*

Messrs. Murry, Harris, Irvin, Curry of Washington, Ashley, Fleming, Hines, Blackburn, Ezzard, Burke, Barnett and Burks.

*On Banks.*

Messrs. Hudson of Putnam, Calhoun, Carter, Tarver, Holt, Carnes, Brown, King, Mason, Easley, Flournoy and Myers.

*On the Penitentiary.*

Messrs. Glascock, Hudson of Jefferson, Crawford, Graham, Collier, Hubbard, Adair of Madison, Johnson of Morgan, Jones of Jones, Dye, Bates of Newton and Gibson.

*On Finance.*

Messrs. Oliver of Elbert, Cone, Murray, Day, Clanton, Thompson, Leonard, Neal, Pearson, Moore, Gholson and Graybill.

*On Internal Improvement.*

Messrs. Ryan, Ried, Johnson of Henry, Jones of Warren, Phillips, Thurmond, Starke, Shannon, Redding, Reeves, Robinson, and Curry of Lincoln.

*On the Military.*

Messrs. Cleveland, Lucas, Warren, Vinson, Hampton, Blackburn, Mitchell, Anderson, Chastian, Rutherford, Hopkins of McIntosh and Cox.

*On Printing.*

Messrs. Price, Wilson of Early, Rawls of Bulloch, Allen, Baker, Barr, Adair of Carroll, Blackwell, Willis, Wood, Taylor and Archer.

The House has passed a bill to authorize the Justices of the Inferior court of Gwinnett, to have the Census of said county perfected by requiring the persons by them appointed to take the same, to make an additional enumeration and return of such persons in said county, as they failed to take and return heretofore.

The Senate took up the message, and concurred in the resolution of the House, directing the Treasurer of this State, to transmit immediately to the officers of the Central Bank, all bonds and notes now in his office, given for the rent of the improvements in the Cherokee nation of Indians.

The Senate also concurred in the resolution of the House, appointing a committee to ascertain the amount of money necessary to be inserted in the appropriation Law, for the compensation of the several individuals engaged in taking the Census of this State, &c. and added a committee on their part, consisting of Messrs. Burch, Henly, Boykin, McDougald and White.

The bill contained in said message was read the first time.

Mr. Burch presented the petition of a number of citizens of Henry county, praying to be annexed to the county of Fayette.

Which was read and referred to a select committee consisting of Messrs. Burch, Johnson and Mercer, with leave to report by bill or otherwise.

Mr. Daniell notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to regulate the transportation of gunpowder within this State.

The Senate adjourned until to-morrow morning 10 o'clock.

**TUESDAY, 15<sup>th</sup> Nov. 1831.**

Agreeably to notice, Mr. Wofford moved for the appointment of a committee to prepare and report a bill to incorporate the North American Mining Company.

Ordered, That Messrs. Wofford, Baber and Nisbet, be that committee.

Agreeably to notice, Mr. Faris moved for the appointment of a committee to prepare and report a bill to carry into effect the 1st section of the 3d article of the Constitution of this State, so as to give the election of the Judges of the Superior courts to the people of their respective judicial circuits, over which they may be elected to preside.

Ordered, That Messrs. Faris, Bowen and Anderson, be that committee.

Agreeably to notice, Mr. Cone moved for the appointment of a committee to prepare and report a bill to reduce the pay of the members of the Legislature of this State.

Ordered, That Messrs. Cone, Bryan and Mobley, be that committee.

Agreeably to notice, Mr. Pryor moved for the appointment of a committee to prepare and report a bill making it the duty of the Clerks of the Inferior courts of the different counties in this State, to claim estrays in certain cases, for their respective counties, when levied on by executions.

Ordered, That Messrs. Prior, Brown of Camden and Hall, be that committee.

Agreeably to notice, Mr. Prior also moved for the appointment of a committee to prepare and report a bill to compel the Judges of the Superior courts of this State, to alternate with each other in their different circuits.

Ordered, That Messrs. Prior, Henly and Bailey, be that committee.

Agreeably to notice, Mr. Mitchell moved for the appointment of a committee to prepare and report a bill to lay out the gold region in the Cherokee lands into small lots and to dispose of the same by separate lottery.

Ordered, That Messrs. Mitchell, Kealing and Cleveland, be that committee.

Agreeably to notice, Mr. Cleveland moved for the appointment of a committee to prepare and report a bill to lay off and divide this State into Congressional districts.

Ordered, That Messrs. Cleveland, Wooten and Echels of Walton, be that committee.

Agreeably to notice, Mr. Everett moved for the appointment of a committee to prepare and report a bill placing the public lands stationed on Flint river under the direction of certain commissioners.

Ordered, That Messrs. Everett, Thomas of Lee, and Williams be that committee.

Agreeably to notice, Mr. Everett also moved for the appointment of a committee to prepare and report a bill to make permanent the public site in the county of Randolph.

Ordered, That Messrs. Everett, Loyall and Echols of Coweta, be that committee.

Agreeably to notice, Mr. Wells moved for the appointment of a committee to prepare and report a bill to compensate one of the superintenders of each election district, who shall meet at the Court House for the purpose of consolidating the returns.

Ordered, That Messrs. Wells, Graham and Spann, be that committee.

Agreeably to notice, Mr. Daniell moved for the appointment of a committee to prepare and report a bill for the construction of a Canal from the termination of the Savannah and Ogeechee Canal, to the Chattahoochee river.

Ordered, That Messrs. Daniell, Harlow and Woolfolk, be that committee.

Agreeably to notice, Mr. Dean moved for the appointment of a committee to prepare and report a bill to alter and change the names of James Lupo and Jameson Lupo, to that of James Watson and Jameson Watson, and to legitimize the same.

Ordered, That Messrs. Dean, Tennille and Ware, be that committee.

Agreeably to notice, Mr. Dean also moved for the appointment of a committee to prepare and report a bill to separate and divorce Burwell Kendrick and Lucy Kendrick, his wife.

Ordered, That Messrs. Dean, Swain and Temples, be that committee.

Agreeably to notice, Mr. Bowen moved for the appointment of a committee to prepare and report a bill to create an election district in the county of Carroll, and to punish those who may attempt to defeat the same.

Ordered, That Messrs. Bowen, St. George and McRae, be that committee.

Agreeably to notice, Mr. Bowen also moved for the appointment of a committee to prepare and report a bill to compel all county of-

ficers holding public monies, to keep a book of record of receipts and expenditures of the same.

Ordered, That Messrs. Bowen, Wood and Wofford, be that committee.

Agreeably to notice, Mr. McAllister moved for the appointment of a committee to prepare & report a bill to incorporate the Bryan neck Church, in the county of Bryan, and to appoint Trustees for the same.

Ordered, That Messrs. McAllister, Sheffield and Stewart, be that committee.

Agreeably to notice, Mr. Williams moved for the appointment of a committee to prepare and report a bill requiring the Treasurer of Randolph county to pay over certain money to the Treasurer of Stewart county, arising from the sale of town lots, &c.

Ordered. That Messrs. Williams, Everett and White, be that committee.

Agreeably to notice, Mr. Spann moved for the appointment of a committee to prepare and report a bill to make null and void all contracts entered into between parties plaintiff or defendant, and Attornies at Law, where the Attorney shall fail to attend to the said in person until the rendition of a judgment.

Ordered, That Messrs. Spann, Muncrief and Waldhauer, be that committee.

Agreeably to notice, Mr. Temples moved for the appointment of a committee to prepare and report a bill to have a part of what was originally Muscogee now Marion county, surveyed, and the lines distinctly marked.

Ordered, That Messrs. Temples, Woolfolk and Dean, be that committee.

Agreeably to notice, Mr. Johnson moved for the appointment of a committee to prepare and report a bill to incorporate Harmony Academy in the county of Henry, and to appoint Trustees for the same.

Ordered, That Messrs. Johnson, Holloway and Hines, be that committee.

Agreeably to notice, Mr. Allen moved for the appointment of a committee to prepare and report a bill to amend an act to appoint Commissioners for the better regulation and government of the town of Petersburg.

Ordered, That Messrs. Allen, Mercer and Mealing, be that committee.

Agreeably to notice, Mr. Boykin moved for the appointment of a committee to prepare and report a bill to separate and divorce Anna B. Drumans, from her husband, John S. Drumans.

Ordered, That Messrs. Boykin, Thomas of Appling and Ray, be that committee.



Agreeably to notice, mr. St. George moved for the appointment of a committee to prepare and report a bill for two election precincts in Laurens county.

Ordered, That messrs. St. George, Cox and Clayton, be that committee.

Agreeably to notice, mr. Williams moved for the appointment of a committee to prepare and report a bill authorising James K. McLeod to establish a ferry across the Chattahoochee river, on his own land.

Ordered, That messrs. Williams, Branham and Baker, be that committee.

Agreeably to notice, mr. Daniell moved for the appointment of a committee to report a bill to regulate the transportation of gunpowder within this State.

Ordered, That messrs. Daniell, Bryan and Avery, be that committee.

Mr. Hall notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill declaring what gifts of slaves shall be valid, for the prevention of frauds.

On motion of mr. Brown of Camden,

*Resolved*, That his Excellency the Governor, be requested to furnish the Senate with two dozen copies of Dawson's Compilation of the Laws of Georgia, for the use of the Senate during the present session.

Mr. Brown of Camden, notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to alter and amend the election district law of Camden county, so far as respects the Spanish creek district in said county.

Mr. Echols of Coweta, notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to alter and amend the 3d, 7th and 12th sections of the 1st article of the Constitution, so far as respects the annual election of Senators and Representatives, and meeting of the Legislature, to that of biennial, &c.

Mr. Blackstone from the committee appointed, reported a bill to give to younger judgment creditors a preference to moneys raised on the sale of defendants property, in certain cases therein specified.

Which was read the first time.

Mr. Cone from the committee appointed, reported a bill to reduce the pay of the members of the General Assembly, &c.

Which was read the first time.

Mr. Cleveland presented a petition from certain individuals of Fayette county, praying to be annexed to the county of DeKalb.

Which was read and referred to a select committee, consisting of Messrs. Cleveland, Burch and Mitchell.

Mr. Cleveland also presented a petition from certain individuals of Henry county, praying to be annexed likewise to the county of DeKalb.

Which was read and referred to a select committee, consisting of messrs. Cleveland, Johnson and Burch.

Mr. Mereer from the committee appointed, reported a bill to add a part of the county of Warren to the county of Taliaferro.

Which was read the first time.

Mr. Parrish notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to repeal an act passed the 21st day of December, 1830, to alter the Jury's fees in this State; and to compensate Grand and Petit Jurors of Jones county, out of the county funds.

Mr. Wofford from the committee appointed, reported a bill to incorporate "the North American Gold mining Company," in Georgia.

Which was read the first time.

Mr. Wofford also notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to separate and divorce Andrew O'Neal, and Delphy O'Neal his wife.

Mr. Bailey notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to amend and explain the 6th section of an act passed the 20th Dec. 1828, to sell and dispose of the States interest in lots of land which have been, or may hereafter be condemned as fraudulently drawn in the counties of Lee, Muscogee, Marion, Harris, Talbot, Troup, Merriwether, Coweta and Carroll.

Mr. Dunnagan had leave to report *instanter*, a bill for the relief of John Head, sen. and John Head, jr.

Which was read the first time.

Mr. Nisbet notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to prevent free persons of color and slaves, from Preaching to, exhorting or addressing any assemblage of slaves, or free persons of color, met together for purposes of worship; and more effectually to prevent owners, Agents, Executors and Administrators, from hiring their time to such slaves as may be under their controul.

Mr. Groves notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to prevent the bringing of vexatious suits at law, and compel persons to give security for payment of costs in certain cases.

Mr. Ector notified the Senate, that after to-day he will move for the appointment of committees to prepare and report the following bills:

A bill to detach from the county of Meriwether some certain lots of land, and attach the same to another county.

A bill to facilitate the collection of debts in the Superior and Inferior courts of this State.

A bill to change the present mode of electing military Field Officers.

A bill to appoint two additional Trustees for the Merriwether county Academy.

A bill to regulate costs claimed by court officers in certain criminal cases; and

A bill to compel Justices of the Peace, which may in future be elected in this State, to give bond and security for their faithful discharge of public duty, so far as relates to paying over all monies coming into their hands by virtue of said appointment.

The following message was received from the House of Representatives, by Mr. Dawson, their Clerk.

The House of Representatives have passed the following bills, to wit:

A bill to add additional election districts in the county of Merriwether.

A bill to exempt from road duty on certain conditions, all male slaves on the Island of St. Catharine.

A bill to authorize Andrew F. Woolley, to keep up his mill dam across the Chestatee river, in the county of Hall.

A bill for the relief of Joseph R. Salter.

A bill to alter and fix the times of holding the Superior court in Wilkinson county.

And a bill defining the liability of purchasers of real and personal estate, at Executors, Administrators, Guardian's and Sheriff's sales, when they refuse or fail to comply with the terms of said sales.

Mr. Wood, from the committee upon Privileges and Elections, to which was referred the petition of Wm. Hawthorn, contesting the right to his seat of the sitting member from the county of Decatur, together with the accompanying documents reported, that they have had the same under consideration, and have proceeded to receive and carefully investigate all the evidence adduced in favor of the Petitioner, and also the evidence adduced in favor of the sitting Senator.

That the committee upon investigation, have ascertained that the sitting member from the county of Decatur, according to the returns of file in the Executive office, was elected by a majority of one vote over his competitor, Wm. Hawthorn, the petitioner receiving two hundred and fifty-five votes, and the sitting member two hundred and fifty-six votes. According to the testimony, the committee learn that of the votes given in at the polls for Wm. Hawthorn, eight were illegal, and of those given in at the polls for Daniel O. Neel, six were illegal; they therefore believe the sitting member entitled to retain his seat, and report the following resolution:

*Resolved*, That the hon. Daniel O. Neel, the sitting Senator for the county of Decatur be, and he is hereby declared duly elected Senator from the county of Decatur, and therefore entitled to retain his seat as a member of the Senate.

The Senate took up the report, and proceeded to determine upon the sufficiency of the evidence submitted on the part of Mr. Hawthorn, in the establishment of the fact, whether Daniel O. Neel be entitled to retain his seat or not, in this branch of the General Assembly.

On motion to strike the vote of David Culbreth from the number received by Mr. Neel, it was determined in the negative.

It was moved that the vote of Robert McCreless, be stricken out from the number received by Mr. Neel, which was likewise determined in the negative.

The Senate proceeded to the consideration of the illegality of the vote of Jonathan Aldridge, and after having spent some time thereon,

Mr. Branham moved that the report with the accompanying documents lie upon the table for the present.

On agreeing to this proposition, the yeas and nays were required, and are Yeas 39—Nays 35.

Those in the affirmative are, messrs:

Allen	Daniel	Mercer
Avery	Devereux	Miller
Baber	Dunagan	Mitchell
Bailey	Harlow	Muncrief
Baker	Hines	Nisbet
Boykip	Holloway	Ray
Branham	Loyall	Sheffield
Brown of Camden	McAllister	Spann
Brown of Monroe	McDougald	Stapleton
Bryan	McRae	St. George
Coxe	Mealing	Surrency

Thomas of Appling  
Thomas of Lee

Waldhauer  
White

Williams  
Woolfolk

Those in the negative are, messrs.

Anderson  
Black  
Blackstone  
Bowen  
Burch  
Cargille  
Clayton  
Cleveland  
Cone  
Dean  
Echols of Coweta  
Echols of Walton

Ector  
Everett  
Faris  
Fullwood  
Graham  
Groves  
Hall  
Henley  
Johnson  
Mobley  
Parrish  
Prior

Singleton  
Smith  
Stewart  
Swain  
Temples  
Tennille  
Ware  
Wells  
Wofford  
Wood  
Wootten

So the motion was agreed to, and the report ordered to lie on the table for the present.

The following bills were read the second time and ordered for committees of the whole :

A bill amendatory of " the act entitled an act to amend an act regulating patrols, passed the 18th Nov 1765, so as to vest the appointment of patrols in the Justices of the Peace, so as to allow them compensation for certain services, and for other purposes, so far as respects the county of Liberty ; and

The bill of the House of Representatives to authorise the Justices of the Inferior court of the county of Gwinnett, to have the Census of said county perfected, by requiring the persons by them appointed to take the same, to make an additional enumeration and return of such persons in said county, as they have failed to take and return heretofore.

The bill to abolish the Penitentiary confinement in this State, except in certain cases and for other, purposes therein specified, was read the second time, and made the special order of the day for Tuesday next.

The following communication was received from the Governor, by Mr. Cuthbert, his Secretary :

EXECUTIVE DEPARTMENT, GEORGIA, }  
Milledgeville, November 15th, 1831. }

*To the Senate, and  
House of Representatives :*

I have received by mail the enclosed communication, accompanied by two copies of the code of laws therein referred to. Permit me to suggest to the General Assembly the expediency of authoris-

ing the Executive to reciprocate this and all similar favors, received from the States and Territories of the Union.

WILSON LUMPKIN.

Which having been read, was referred, together with the accompanying document to the committee on the Judiciary.

Mr. Thomas of Lee, from the committee appointed, reported a bill to alter and amend an act assented to the 22d day of Dec. 1839, amendatory of an act to provide for the improvement of the roads and rivers in this State, passed the 18th day of Dec. 1829, so far as to give the superintendence of the public lands placed at Flint river, to the superintendence of three persons named in this act; and to provide for filling such vacancies as may take place in said superintendents; and to appoint additional commissioners to superintend the improvement of Flint river, and that portion of the State through which said river flows, South of the Federal road leading from Macon to Columbus.

Which was read the first time.

The Senate then adjourned until to-morrow morning 10 o'clock

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WEDNESDAY, 16th November, 1831.

Agreeably to notice, Mr. Hall moved for the appointment of a committee to prepare and report a bill declaring what gifts of slaves shall be valid for the prevention of frauds.

Ordered, that Messrs. Hall, Burch and Fullwood, be that committee.

Agreeably to notice, Mr. Brown of Camden, moved for the appointment of a Committee to prepare and report a bill to alter and amend the election district law of Camden county, so far as respects the Spanish Creek district in said county.

Ordered, that Messrs. Brown of Camden, Stapleton and McAllister, be that committee.

Agreeably to notice, Mr. Echols of Coweta, moved for the appointment of a committee to prepare and report a bill to alter and amend the 3d, 7th and 12th sections of the first article of the constitution, so far as respects the annual election of Senators and Representatives, and meeting of the Legislature, to that of biennially, &c.

Ordered, That Messrs. Echols of Coweta, Anderson and Dunagan, be that committee.

Agreeably to notice, Mr. Parrish moved for the appointment of a committee to prepare and report a bill to repeal an act passed the 21st day of December, 1830, to alter the Jury's fees in this State, and to compensate Grand and Petty Jurys of Jones county, out of the county funds.

Ordered, That Messrs. Parrish, Wooten and Groves, be that committee.

Agreeably to notice, Mr. Wofford moved for the appointment of a committee to prepare and report a bill to separate and divorce Andrew O'Neal and Delphy O'Neal, his wife.

Ordered, That Messrs. Wofford, Devereux and Ware, be that committee.

Agreeably to notice, Mr. Bailey moved for the appointment of a committee to prepare and report a bill to amend and explain the 6th section of an act passed the 20th of December, 1828, to sell and dispose of the state's interest in lots of land which have been or may hereafter be condemned as fraudulently drawn in the counties of Lee, Muscogee, Marion, Harris, Talbot, Troup, Merriwether, Coweta and Carroll.

Ordered, That messrs. Bailey, Ector and M'Dougald, be that committee.

Agreeably to notice, Mr. Nisbet moved for the appointment of a committee to prepare and report a bill to prevent free persons of color and slaves from preaching to, exhorting or addressing any assemblage of slaves or free persons of color, met together for purposes of worship, and more effectually to prevent owners, agents, executors and administrators from hiring their time to such slaves as may be under their control.

Ordered, That messrs. Nisbet, Boykin, and Baker, be that committee.

Agreeably to notice, Mr. Groves moved for the appointment of a committee to prepare and report a bill to prevent the bringing of vexatious suits at law, and compel persons to give security for payment of costs in certain cases.

Ordered, That messrs. Groves, Henly and Spann, be that committee.

Agreeably to notice, Mr. Ector moved for the appointment of committees to prepare and report the following bills—

A bill to detach from the county of Meriwether, some certain lots of land, and attach the same to another county.

A bill to facilitate the collection of debts in the Superior and Inferior Courts of this state.

A bill to change the present mode of electing military field officers.

A bill to appoint two additional trustees for the Meriwether County Academy.

A bill to regulate costs claimed by court officers in certain criminal cases ; and

A bill to compel Justices of the Peace which may in future be elected in this state, to give bond and security for the faithful discharge of public duty, so far as relates to paying over all monies coming into their hands by virtue of said appointment.

Ordered, That messrs. Ector, Bowen and Cleveland, be that committee.

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On motion,

Leave of absence from the Senate for a few days, was granted to the Hon. Senator from the county of Taliaferro.

Mr. Daniell presented a petition from the commissioners of Public Roads in Chatham county, to prohibit the practice of horse racing on the highways in Chatham county ; which was read and referred to a select committee, consisting of messrs. Daniell, Waldhauer and Harlow.

Mr. Daniell, also presented a petition from the same commissioners, relative to the roads of Chatham county ; which was read and referred to a select committee consisting of messrs. Daniel, M'Rae and Mitchell.

Mr. Singleton presented the petition of Henry Anglin, asking compensation for services rendered, and property lost in the American Revolution ;—which was read and referred to a select committee, consisting of messrs. Singleton, Sheffield and Wood.

Mr. Wood moved to take up the report and resolution of the committee on Privileges and Elections, in the case of the contested seat of the Senator from Decatur county, and the Senate being about to proceed therewith,

Mr. Nisbet offered the following resolution :

*Resolved*, That the petition and documents of the petitioner, contesting the seat of the sitting member from the county of Decatur, be re-committed to the committee on privileges and elections, and said committee have power to send for persons and papers—When Mr. Henly proposed to amend the resolution by adding—“and that they report to Senate finally on the 25th inst.”

And, on the question to agree to the amendment, the Yeas and Nays were required, and it was determined in the negative : The yeas are 28—The nays are 45.

•

Those in the affirmative are, messrs.

Anderson  
Black  
Blackstone  
Bowen

Burch  
Cargille  
Cleveland  
Cone

Dean  
Dunagan  
Echols of Coweta  
Echols of Walton



<b>Ector</b>	<b>Hall</b>	<b>Swain</b>
<b>Everett</b>	<b>Henley</b>	<b>Temples</b>
<b>Furis</b>	<b>Mobley</b>	<b>Ware</b>
<b>Fullwood</b>	<b>Parrish</b>	<b>Wells</b>
<b>Graham</b>	<b>Singleton</b>	<b>Wood</b>
<b>Groves</b>		

Those in the negative are, messrs.

<b>Allen</b>	<b>Hines</b>	<b>Sheffield</b>
<b>Avery</b>	<b>Holloway</b>	<b>Smith</b>
<b>Baber</b>	<b>Johnson</b>	<b>Spann</b>
<b>Bailey</b>	<b>Loyall</b>	<b>Stapleton</b>
<b>Baker</b>	<b>McAllister</b>	<b>Stewart,</b>
<b>Boykin</b>	<b>McDougald</b>	<b>St. George</b>
<b>Branham</b>	<b>McRae</b>	<b>Surrency</b>
<b>Brown of Camden</b>	<b>Mealing</b>	<b>Thomas of Appling</b>
<b>Brown of Monroe</b>	<b>Mercer</b>	<b>Thomas of Lee</b>
<b>Bryan</b>	<b>Miller</b>	<b>Tennille</b>
<b>Clayton</b>	<b>Mitchell</b>	<b>Waldhauer</b>
<b>Coxe</b>	<b>Muncrief</b>	<b>White</b>
<b>Daniell</b>	<b>Nisbet</b>	<b>Williams</b>
<b>Devereux</b>	<b>Prior</b>	<b>Wofford</b>
<b>Harlow</b>	<b>Ray</b>	<b>Wooten</b>

On motion,

Then, to agree to the resolution as proposed by Mr. Nisbet, the yeas and nays were required, and it was determined in the affirmative. The yeas are 38, the nays are 25.

Those in the affirmative are, Messrs.

<b>Allen</b>	<b>Harlow</b>	<b>Ray</b>
<b>Avery</b>	<b>Hines</b>	<b>Sheffield</b>
<b>Baber</b>	<b>Holloway</b>	<b>Spann</b>
<b>Bailey</b>	<b>Loyall</b>	<b>Stapleton</b>
<b>Baker</b>	<b>McAllister</b>	<b>St. George</b>
<b>Boykin</b>	<b>McDougald</b>	<b>Surrency</b>
<b>Branham</b>	<b>McRae</b>	<b>Thomas of Appling</b>
<b>Brown of Camden</b>	<b>Mealing</b>	<b>Thomas of Lee</b>
<b>Brown of Monroe</b>	<b>Mercer</b>	<b>Waldhauer</b>
<b>Bryan</b>	<b>Miller</b>	<b>White</b>
<b>Coxe</b>	<b>Mitchell</b>	<b>Williams</b>
<b>Daniell</b>	<b>Muncrief</b>	<b>Wofford</b>
<b>Devereux</b>	<b>Nisbet</b>	

Those in the negative are, Messrs.

<b>Anderson</b>	<b>Cargille</b>	<b>Dunagan</b>
<b>Black</b>	<b>Clayton</b>	<b>Echols of Coweta</b>
<b>Blackstone</b>	<b>Cleveland</b>	<b>Echols of Walton</b>
<b>Bowen</b>	<b>Cone</b>	<b>Ector</b>
<b>Burch</b>	<b>Dean</b>	<b>Everett</b>

Paris	Mobley	Temples
Fullwood	Parrish	Tennille
Graham	Prior	Ware
Groves	Singleton	Wells
Hall	Smith	Wood
Henly	Stewart	Wooten
Johnson	Swain	

The following communications were received from the Governor, by his Secretary, Mr. Cuthbert:

EXECUTIVE DEPARTMENT, GEORGIA, }  
*Milledgeville, Nov. 16, 1831.* }

*To the Senate—*

The information sought from this department by the resolution of the Senate of the 15th inst. has received due attention. It appears from the records of this office, that my predecessor, in compliance with the directions contained in the joint resolution of the General Assembly, passed on the 11th December, 1830, did immediately communicate to George W. Crawford, Esq. Attorney General, a copy of that resolution, requesting his attention to the subject in terms of said resolution.

I have not been able to ascertain that this office affords any additional information.

WILSON LUMPKIN.

Which was read and referred to the joint Judiciary committee.

EXECUTIVE DEPARTMENT, GEO. }  
*Milledgeville, 16th Nov. 1831.* }

*To the President of the Senate;*

In compliance with the request contained in your resolution of the 15th instant, I have directed that your branch of the General Assembly be furnished with one dozen copies of Dawson's Compilation of the Laws of Georgia.

WILSON LUMPKIN.

Which was ordered to lie upon the table.

Mr. Wood presented the petition of Jacob Rockenbaugh, one of the heirs of the late Col. John Cooper of McIntosh county, praying that an act may be passed authorizing the release of certain claims held by the State against the estate of said Cooper, upon the payment by petitioner of the sum of one thousand dollars.

Which was read and referred, together with the accompanying documents, to the committee on Finance.

Mr. Wofford from the committee appointed, reported a bill to separate and divorce Andrew O'Neal and Delpha O'Neal his wife.

Which was read the first time.

Mr. Brown of Monroe, had leave to report instantler, a bill to sell and dispose of lot No. 241, in the 5th district of Monroe county.

Which was read the first time.

Mr. Bowen from the committee appointed, reported a bill to compel county officers, holding public monies, to keep a book of record of the receipts and expenditures of the same.

Which was read the first time.

Mr. Smith from the committee appointed, reported a bill to incorporate a Bank in the town of Macon, on the east side of the river, to be called "the Planters' Bank of Macon."

Which was read the first time.

Mr. Allen from the several committees appointed, reported the following bills:

A bill to alter and amend the several laws in this state, regulating and defining patrol duty, and for other purposes-- and

A bill to remove obstructions in the streets of the town of Petersburg, in this state, and to keep open the same.

Which was read the first time.

The following message was received from the House of Representatives, by Mr. Dawson, their Clerk :

The House of Representatives have passed the following bills, to wit :

A bill to authorise the Justices of the Inferior Court of Madison county, to loan out the county funds at interest.

And a bill to prevent itinerant and unauthorized persons from locating themselves on or near the river Savannah, under the pretence of fishing, and to prevent obstructions to the passage of fish up the said river; and further, to prohibit the trading with slaves and to extend the powers of civil officers and patrols.

They have agreed to a resolution requiring of the Comptroller General, to shew the amount of taxes paid by each county in this State, &c. And in a resolution, setting apart Friday next, for the election of the State House Officers - to which they desire concurrence.

Mr. Boykin from the committee appointed, reported a bill to divorce Arianna B. Dumans, and John S. Dumans, her husband.

Which was read the first time.

Mr. Prior from the committee appointed, reported a bill to compel the clerks of the Inferior courts of the different counties in this state to claim estrayed property, when levied on by executions in certain cases.

Which was read the first time.

Mr. Daniell from the committees appointed, reported the following bills :

A bill to compel persons to serve as commissioners of Public

Roads in the county of Chatham, who may be appointed hereafter in conformity with the road laws now of force in said county.

A bill to prohibit the practice of horse racing on the public highways in the county of Chatham --and,

A bill to appoint a board of commissioners to cause a canal from the Savannah and Ogeechee Canal to the Chattahoochee river, to be constructed, &c.

Which were severally read the first time.

Mr. Johnson from the committee appointed, reported a bill to Incorporate Harmony Academy, in Henry county, and to appoint Trustees for the same.

Which was read the first time.

Mr. Brown of Camden, from the committee appointed, reported a bill giving the Intendant and members of Council of the town of St. Marys, authority to act as Justices of the Peace in certain cases.

Which was read the first time.

Mr. Temples from the committee appointed, reported a bill to establish two additional election districts in the county of Marion.

Which was read the first time.

Mr. Temples notified the Senate, that after to-day, he will move for the appointment of a committee to prepare and report a bill in addition to an act passed the 20th day of December, 1828, to protect the frontier settlements of this State from the intrusion of the Indians of the Creek Nation.

Mr. Mobley from the committee appointed, reported a bill to make permanent the public site in the county of Irwin, and appoint commissioners for the same.

Which was read the first time.

Mr. Williams from the committee appointed, reported a bill to authorize and compel John R. M. Neal, Treasurer of Randolph county, in the year 1830, to pay over to the Justices of the Inferior Court of Stewart county, any money which he held, or now holds, arising from the sale of lots in the town of Lumpkin, that was not otherwise disposed of previous to the division of Randolph county--and,

A bill to authorize James K. M'Leod to establish a ferry across the Chattahoochee river on his own land.

Which were severally read the first time.

Mr. Dean from the committee appointed, reported a bill to separate and divorce Burwell Kendrick from his wife, Lucy Kendrick.

Which was read the first time.

Mr. Wells from the committee appointed, reported a bill to compensate Justices of the Peace of Telfair county in certain cases.

Which was read the first time.

Mr. Thomas of Lee, from the committee appointed, reported a bill to divide the county of Lee, &c.

Which was read the first time.

Mr. St. George from the committee appointed, reported a bill to establish two election districts in the county of Laurens, &c.

Which was read the first time.

Mr. Burch presented the petition of a number of the citizens of Fayette county, praying an additional election precinct.

Which was read and referred to a select committee, consisting of messrs. Burch, Bowen and Echols of Coweta.

Mr. Bailey laid upon the table the following resolution:

Whereas, encouragement to the formation of Volunteer Corps of Cavalry in the different counties of this State is necessary to preserve the peace and quiet of said state, and to ensure the due execution of the Laws thereof,

*Be it therefore resolved by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby resolved by the authority aforesaid, That his Excellency the Governor, be requested to purchase for the use of the several cavalry companies which have been, or may hereafter be organized in this State, one thousand swords and five hundred brace of pistols, to be distributed amongst said volunteer companies, after taking bond and security for the return of said arms, in the manner heretofore pursued by the Executive of said State.*

*And be it further resolved, That his Excellency the Governor, be requested to distribute amongst such volunteer companies of cavalry in this State, as may at present be without arms, the swords now in the Arsenal of said State.*

*And be it further resolved, That the sum of six thousand dollars, be set apart in the appropriation bill of the present session, for the purpose of carrying into effect the resolution first above mentioned.*

On motion,

The several messages from the House of Representatives received yesterday and this day, were taken up, and the bills therein contained, were read the first time.

The resolution contained in the message of this day, relative to bringing on the election of State House Officers on Friday next, having been read, Mr. Tennille moved to amend the same by striking out the word 'next,' after Friday, and inserting in lieu thereof, 'week'—which would make it read Friday week, instead of Friday next. And on the question being put to agree to the amendment, it was determined in the negative. The yeas and nays being required, are yeas 32—nays 40.

Those in the affirmative are, messrs.

Anderson	Echols of Coweta	Smith
Black	Echols of Walton	Spann
Blackstone	Ector	Stewart
Bowen	Everett	Swain
Burch	Fullwood	Tennille
Cargille	Groves	Ware
Clayton	Henly	Wells
Cleveland	Johnson	Wofford
Cone	Mercer	Wood
Dean	Parrish	Wooten
Dunagan	Prior	

Those in the negative are, messrs.

Allen	Hall	Nisbet
Avery	Harlow	Ray
Baber	Hines	Sheffield
Bailey	Holloway	Singleton
Baker	Loyall	Stapleton
Boykin	McAllister	St. George
Branham	McDougald	Surrency
Brown of Camden	McRae	Thomas of Appling
Brown of Monroe	Mealing	Thomas of Lee
Bryan	Miller	Waldhauer
Daniell	Mitchell	White
Devereux	Murcief	Williams
Faris	Neel	Woolfolk
Graham		

So the Senate refused to amend; and the resolution was then concurred in.

The Senate also concurred in the resolution of the House, requesting the Comptroller General to make out a list shewing the amount of taxes paid by each county in this State, &c.

Mr. Singleton laid on the table the following resolution:

*Resolved,* That the Senate will meet each day in future, at the hour of 9 o'clock, in the morning, and 3 in the afternoon, until otherwise ordered.

The Senate resolved itself into committee of the whole, Mr. Stewart in the chair, on the bill of the House of Representatives, to authorize the Justices of the Inferior court of the county of Gwinnett to have the Census of said county perfected, by requiring the persons by them appointed to take the same, to make an additional enumeration and return of such persons in said county, as they have failed to take and return heretofore—and having spent some time therein,

The President resumed the chair, and the bill was reported without amendment.

The Senate took up and agreed to the report, and the bill was read the third time and passed.

Ordered, That the Secretary carry the same forthwith to the House of Representatives.

Mr. Daniell presented a petition from the mayor and corporation of Savannah, asking that a fund may be appropriated either by tax or otherwise, for the purpose of building a Lazaretto at the Port of Savannah.

Which was read and referred to the committee on Finance.

Mr. Allen notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to establish certain ferries therein mentioned.

The Senate adjourned until to-morrow morning, 10 o'clock.

#### THURSDAY, 17th Nov. 1831.

Agreeably to notice, Mr. Temples moved for the appointment of a committee to prepare and report a bill in addition to an act passed the 20th day of December, 1828, to protect the frontier settlements of this state from the intrusion of the Indians of the Creek Nation.

Ordered, That Messrs. Temples, Woolfolk and Bowen, be that committee.

Agreeably to notice, Mr. Allen moved for the appointment of a committee to prepare and report a bill to establish certain ferries therein mentioned.

Ordered, That Messrs. Allen, Brown of Monroe, and Baker, be that committee.

Mr. Wood from the committee appointed, reported a bill to extend the charter of the Bank of Darien.

Which was read the first time.

Mr. Gargille notified the Senate, that after to-day, he will move for the appointment of a committee to prepare and report a bill to compensate Petty Jurors of Butts county.

Mr. Harlow presented the Petition of a number of the citizens of Burke county, representing the heavy expenses which their roads, bridges and causeways have produced; and asking the consideration and relief of the General Assembly thereupon.

Which was read and referred, together with the accompanying documents, to the committee on Agriculture and Internal Improvement.

Mr. Miller from the committee appointed, reported a bill to remove the county site of Baker county, from Byron, to lot No. 172, in the 8th district of said county, and to appoint commissioners for that purpose—and,

A bill to establish two additional election districts in the county of Baker.

Which were read the first time.

Mr. Nisbet from the committee appointed, reported a bill to prevent slaves and free persons of colour from preaching, and for other purposes.

Which was read the first time

Mr. Nisbet notified the Senate that after to-day, he will move for the appointment of a committee to prepare and report a bill to define the powers of the Superior and Inferior courts of this State; to issue attachments and inflict summary punishment for contempt of court.

On motion of Mr. Ector, it was

*Resolved*, That his Excellency the Governor, be and he is hereby requested to order to be purchased, two dozen good sitting chairs for the use of the Legislature, which shall be paid for out of the contingent fund of this State.

On motion of Mr. Wood,

*Resolved*, That his Excellency the Governor, be requested to lay before the Senate, any information in the Executive office shewing the actings and doings of the superintendant of the lands on the Public Roads, together with any representations made to the Executive on that subject.

On motion of Mr. Boykin, it was

*Resolved*, That John W. L. Daniel have leave to withdraw his memorial, which was laid before the Senate at the last session of the Legislature, from the office of Secretary of Senate.

Mr. Mitchell presented a Petition from George W. Moore, praying to be relieved from payment of double tax of Clark county.

Which was read and referred, together with the accompanying documents to the committee on Finance.

Mr. Wells notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to repeal an act passed December 24th, 1825, to add the Academical funds of the county of Telfair, to the Poor School funds of said county.

On motion of Mr. Ray,

*Resolved*, That the Secretary of the Senate be authorized and required to deliver over to the applicant, the exemplification of the pro-



ceeding in the divorce case of Rebecca T. Warner, against Leonard T. Warner, now on file in his office.

Mr. Ray notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to divorce Rebecca T. Warner and Leonard T. Warner.

Mr. Smith notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to compensate Petit Jurors of Twiggs county.

Mr. Smith also notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill for the relief of certain citizens of Twiggs county, who are returned as defaulters for the year 1830, and thereby are doubly taxed.

Mr. Neel notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to authorize the Judge of the Superior court of the Southern circuit to hold an extra session of said court, in the county of Decatur.

Mr. Faris notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to alter and amend the 21st section of an act to raise a tax for the support of Government, for the year 1805, passed, December 12th, 1804.

Mr. Faris also notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to add one additional election district in the county of Rabun, and to punish those who may attempt to defeat the same.

Mr. Williams notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill detaching a certain lot of land in the county of Randolph to the county of Stewart.

Mr. Bowen notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to alter and amend the 2d section of an act to make permanent the public site in the county of Carroll to name, incorporate and appoint commissioners for the same, passed on the 22d December, 1829.

On motion of Mr. Henly,

*Resolved*, That the several returns of commissioners of County Academies, and Trustees of the Poor School Fund, transmitted to Senate by the *Senatus Academicus* be referred to the joint committee on Education and Free Schools.

The Senate resolved itself into committee of the whole—Mr. Wooten, in the Chair, on the bill to repeal the 15th section of an act to authorize the survey and disposition of lands within the limits of Georgia in the occupancy of the Cherokee tribe of Indians, &c.

passed the 21st day of December, 1830—and having spent some time therein, the President resumed the Chair, and the bill was reported without amendment.

Ordered, That the report lie upon the table till called up.

The Senate resolved itself into a committee of the whole, Mr. Wood in the Chair, on the bill to pardon Isaac Gaines—and having spent some time therein, the President resumed the Chair, and the bill was reported without amendment.

The Senate took up and agreed to the report, and

On motion,

Ordered it to lie upon the table until to-morrow morning.

The following bills were read the second time, and ordered for a third reading:

A bill to separate and divorce Sarah Freeman and Caven Freeman, her husband.

A bill to authorize the Justices of the Inferior court of Jefferson county, to establish an Institution for the invalid poor of said county.

A bill to exonerate the trustees of the Presbyterian church in the town of Columbus from the payment of the balance due the Central Bank for a lot which they have purchased for religious purposes.

A bill to separate and divorce Andrew O'Neal and Delpha O'Neal his wife; and

A bill to divorce Arianna B. Drumans and John S. Drumans, her husband.

The following communication was received from the Governor, by Mr. Cuthbert, his Secretary :

EXECUTIVE DEPARTMENT, GA. )  
Milledgeville, Nov. 17th, 1831. )

*To the Senate :*

The resolution of the Senate, requesting to be informed “if there is any record in the Executive Office, shewing whether any bond or bonds have been given by the Attorney or Solicitors General of this State, agreeably to the act of 1828, together with any circumstances connected with the same, has received due attention.

In conformity with the provisions of the act referred to, the bond of J. W. Hooper, Esq. Solicitor General for the Chattahoochee circuit, has been taken, which is the only one, so far as I am to rely on the files in the proper offices, or any other information in my possession.

The bonds of the Attorney and Solicitors General, recently elected, have all been taken and filed in terms of the law, with one exception; and an arrangement is already made to complete that exception in a few days.

No further circumstances at this time, occur to my mind, as a proper subject of communication to the General Assembly. Nevertheless, any definite call of the Senate, will receive prompt and respectful attention.

WILSON LUMPKIN.

Which was read and referred to the committee on the Judiciary.

Mr. Anderson from the committee appointed, reported a bill to repeal the 2nd and 4th sections of an act passed the 21st day of December, 1830, to appoint eleven additional trustees of the University of Georgia; and to provide a permanent additional fund for the support of the same, and declare the number of Trustees which shall be necessary to form a Board; and to authorize a loan of \$10,000, to the Board of Trustees of said University, and to provide for the education of certain poor children, therein mentioned.

Which was read the first time.

The following message was received from the House of Representatives, by Mr. Dawson, their Clerk.

The House of Representatives have passed the following bills, to wit:

A bill to be entitled an act to alter and fix the time to hold the Inferior court of Butts county; and

A bill to alter and fix the time of holding the summer session of the Superior court of Wilkes county.

The House has passed the bill of Senate, to extend the time to fortunate drawers in the Land Lotteries of 1818, '19 and '21, to take out their Grants, *with amendments*.

The Senate took up so much of the message as relates to the amendments of the House of Representatives, to the bill of Senate extending the time for fortunate drawers in the land lotteries of 1818, '19 and '21, to take out their Grants.

On motion,

The Senate concurred in the amendment to the 1st section of the bill extending the time from the year 1832 to 1837.

On concurring in the amendment of the House of Representatives, to the 1st section of the bill (relating to the lotteries of 1818 and 1819)—reducing the grant fee from six to five dollars,

The Yeas and Nays being required thereon, it was determined in the affirmative.

The Yeas are 50—the Nays are 25.

Those in the affirmative are, messrs.

Anderson

Avery

Baker

Black	Fullwood	Smith
Blackstone	Graham	Spann
Bowen	Groves	Stapleton
Bryan	Hall	Stewart
Burch	Henly	Surrency
Cargillé	Hines	Swain
Cleveland	Johnson	Thomas of Appling
Cone	McDougald	Temples
Dean	McRae	Ware
Devereux	Mercer	Wells
Dunagan	Miller	White
Echols of Coweta	Mobley	Williams
Echols of Walton	Parrish	Wofford
Ector	Prior	Wood
Everett	Sheffield	Woolfolk
Faris	Singleton	

Those in the negative are, messrs.

Allen	Daniell	Neel
Baber	Harlow	Nisbet
Bailey	Holloway	Ray
Boykin	Loyall	St. George
Branham	McAllister	Thomas of Lee
Brown of Camden	Mealing	Tennille
Brown of Monroe	Mitchell	Waldhauer
Clayton	Muncrief	Wooten
Coxe		

The Senate also concurred in the same amendments made to the second section, relating to the lottery of 1821, extending the time to take out Grants to 25th Dec. 1837, and reducing the grant fee to five dollars.

Ordered, That the Secretary notify the House of Representatives forthwith, of the concurrence of Senate in the amendments to said bill.

The remainder of the message was ordered to lie on the table.

The following bills were read the second time and ordered for committees of the whole :

A bill to alter and amend an act passed 23d December, 1830, so far as respects the Free School fund of Emanuel county.

A bill to authorize Joseph Collins, junr. of Tattnall county to construct a mill dam across the Ohoopie river, upon his own land.

A bill to incorporate the Stewart county Academy, in the county of Stewart, and appoint trustees for the same.

A bill to create and form a new Judicial circuit out of the Southern and Chattahoochee circuits.

A bill to vest in the Intendant and commissioners of the town of Columbus and their successors, the controul of the public hands in that vicinity.

A bill to authorize the Governor to issue a Grant to the Roman Catholic church of St. Phillip and St. James, for a lot in the town of Columbus for religious purposes.

A bill to authorize Barwell P. Pope and John Berry, to plead and practice law in the several courts of Law and Equity in this State.

A bill to give younger judgment creditors a preference to monies raised on the sale of defendants property in certain cases therein specified.

A bill to reduce the pay of the members of the General Assembly, &c.

A bill to add a part of the county of Warren to the county of Taliaferro.

A bill to incorporate the "North American Gold Mining Company" in Georgia.

A bill for the relief of John Head, senr. and John Head, junr.

A bill to alter and amend an act assented to on 22d day of Dec. 1839, entitled an act amendatory of an act to provide for the improvement of the roads and rivers in this State, passed 18th day of December, 1829, so far as to give the superintendence of the public lands placed at Flat river, to the superintendence of three persons named, &c.

A bill to sell and dispose of lot No. 241, in the county of Monroe, and 5th district of said county.

A bill to compel all county officers holding public moneys to keep books of record, of the receipts and expenditures of the same.

A bill to incorporate a Bank in the town of Macon, on the east side of the river, to be called the Planters' Bank of Macon.

A bill to alter and amend the several laws in this State, regulating and defining patrol duty.

A bill to remove obstructions in the streets of the town of Petersburg, in this State, and to keep open the same, and

A bill to compel the Clerks of the Inferior courts of the different counties in this State, to claim estrayed property when levied on by executions in certain cases.

Mr. Brown of Camden, from the committee on Enrolment, reported as duly enrolled and signed by the Speaker of the House of Representatives,

An act, to authorize the Justices of the Inferior court of Gwinnett, to have the Census of said county perfected, by requiring the persons appointed to take the same to make an additional enumeration and return of such persons in said county as they have failed to take and return heretofore.

Which was signed by the President, and the committee ordered to carry the same to the Governor for his assent.

On motion of Mr. Cone, it was

*Resolved*, That his Excellency the Governor. be, and he is hereby requested to furnish the messenger of this branch of the General Assembly, stationary for the use of the Senate during the present session of the Legislature, and pay for the same out of the contingent fund.

The Senate adjourned until to-morrow morning, 10 o'clock.

*FRIDAY, 18th November, 1831.*

Agreeably to notice, Mr. Cargille moved for the appointment of a committee to prepare and report a bill to compensate Petit Jurors of Butts connty.

Ordered, That Messrs. Cargille, Clayton and Cone, be that committee.

Agreeably to notice, Mr. Nisbet moved for the appointment of a committee to prepare and report a bill to define the powers of the Superior and Inferior courts of this State; to issue attachments and inflict summary punishment for contempts of court.

Ordered, That Messrs. Nisbet, Bailey and Prior, be that committee.

Agreeably to notice, Mr. Wells moved for the appointment of a committee to prepare and report a bill to repeal an act passed Dec. 24th 1825, to add the Academical funds of the county of Telfair to the Poor School fund of said county.

Ordered, That Messrs. Wells, Smith and Tennille, be that committee.

Agreeably to notice, Mr. Ray moved for the appointment of a committee to prepare and report a bill to divorce Rebecca T. Warner and Leonard T. Warner.

Ordered, That Messrs. Ray, Sheffield and Surrency, be that committee

Agreeably to notice, Mr. Smith moved for the appointment of a committee to prepare and report a bill to compensate Petit Jurors of Twiggs county.

Ordered, That Messrs. Smith, Bowen and Cargille, be that committee.

Agreeably to notice, Mr. Smith also moved for the appointment of a committee to prepare and report a bill for the relief of certain citizens of Twiggs county, who are returned as defaulters for the year 1830, and thereby are doubly taxed.

Ordered, That Messrs. Smith, Spann and Mitchell, be that committee.

Agreeably to notice, Mr. Neel moved for the appointment of a committee to prepare and report a bill to authorise the Judge of the Superior court of the Southern circuit, to hold an extra session of said court in the county of Decatur.

Ordered, That Messrs. Neel, Loyall and Holloway, be that committee.

Agreeably to notice, Mr. Farris moved for the appointment of a committee to prepare and report a bill to alter and amend the 21st section of an act to raise a tax for the support of Government for the year 1805, passed Dec. 12th, 1804.

Ordered, That Messrs. Farris, Black and Cleveland, be that committee.

Agreeably to notice, Mr. Farris also moved for the appointment of a committee to prepare and report a bill to add one additional election district in the county of Rabun, and to punish those who may attempt to defeat the same.

Ordered, That Messrs. Farris, Blackstone and Graham, be that committee.

Agreeably to notice, Mr. Williams moved for the appointment of a committee to prepare and report a bill detaching a certain lot of land in the county of Randolph, to the county of Stewart.

Ordered, That Messrs. Williams, Everett and Folsom, be that committee.

Agreeably to notice, Mr. Bowen moved for the appointment of a committee to prepare and report a bill to alter and amend the 2d section of an act to make permanent the public site in the county of Carroll ; to name, incorporate and appoint commissioners for the same, passed on the 22d Dec. 1829.

Ordered, That Messrs. Bowen, Hall and Mobley, be that committee.

Mr. Singleton from the committee appointed, reported a bill to raise a permanent fund for the support of common schools in the state of Georgia.

Which was read the first time.

On motion,

Leave of absence after to-day, for a few days, was granted to the hon. Senators from the counties of Washington, Putnam, Troup, Jones and Twiggs.

Mr. Mealing from the committees appointed, reported a bill to alter and amend an act to impose an additional tax on Pedlers and other itinerant traders, passed the 9th Dec. 1824 ; and

A bill to change the present mode of voting.

Which were severally read the first time.

Mr. Mealing notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to more effectually frame a law preventing the importation of slaves in this State, under any circumstance.

Mr. Singleton from the special committee, to whom was referred the petition of Henry Anglin, sen. of Jackson county,

Reported, That they have had the same under their consideration.

and find by said documents that the petitioner did serve his country, and that in the State of Georgia during the Revolutionary War, a part if not the whole of the time as stated by said petitioner: and your committee know that the petitioner is a very old man, extremely indigent, and rendered infirm as he has sworn to, by hardships and wounds received during said war. And your committee believe it to be the duty of the good citizens of this State, through their Representatives here assembled, to do something for the relief of not only your petitioner, but all others similarly situated.

They therefore beg leave to offer the following resolution, to wit:

*Resolved by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby resolved by the authority of the same, That the petitioner Henry Anglin, sen. of Jackson county, and State aforesaid, be allowed two draws in the contemplated land lottery, in addition to any which he may have been entitled to heretofore; and that he may be allowed to give in for the same, by taking the following oath: "I do solemnly swear before Almighty God, that I have not drawn any land of valuable consideration in either of the land lotteries of this State, for my revolutionary services.*

Which having been read, was ordered to lie upon the table for the present.

Mr. Allen from the committee appointed, reported a bill to establish certain Ferries therein mentioned.

Which was read the first time.

Mr. Everett from the committee appointed, reported a bill to make permanent the site of the public buildings in the county of Randolph, at the town of Cuthbert, and to incorporate the same.

Which was read the first time.

Mr. McDougald, from the joint committee on Printing, reported that in conformity with the duties they were appointed to perform, they issued proposals to the several Printers of Milledgeville, and such other persons as might wish to offer for the printing of the State for the present session, have received and accepted of Messrs. Camak and Ragland's proposals to print the Laws and Journals which are upon the same terms as last year, to be delivered as follows: the Laws by the middle of January, and the Journals by the middle of February.

The committee also accept of the Proposals of Messrs. Polhill & Cuthbert; which are also upon the same terms as last year, for the Job printing of the present session.

Which was read and ordered, together with the accompanying documents, to lie upon the table for the present.

Mr. Harlow notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to alter and amend an act, to regulate the licensing of Physicians to practice in this state, passed 24th Dec. 1825.

Mr. Daniell from the committee appointed, reported a bill to regulate the transportation of gunpowder, and to authorise the fore-



ture of such as shall be transported in violation of the provisions of this act.

Which was read the first time.

On motion of Mr. Wood,

The petition of the Mayor and citizens of Darien, was referred to a special committee, consisting of Messrs. Wood, Towns, and Echols.

Mr. Groves from the committee appointed, reported a bill requiring parties plaintiff who bring actions of slander and other vexatious suits, to give bond and security for the payment of costs ; also requiring Justices of the peace to take bond from prosecutors before issuing warrants, in State and criminal cases.

Which was read the first time.

Mr. Nisbet from the committee appointed to report on so much of the Governor's communication as acknowledges the receipt of the Laws of Indiana, reported, in part, the following resolution :

*Resolved*, That his Excellency the Governor be requested, and he is hereby authorised to transmit to the Governor of the State of Indiana, copies of the Digested and compiled Laws of this State, bound in a neat and handsome manner, with a proper acknowledgment of the Legislature, for the manner in which the Laws of Indiana have been presented to the Executive Department of this State.

Which was read and agreed to.

Mr. Nisbet from the special committee appointed, reported a bill to define the powers of the courts of Law and Equity in this State, to punish for contempts of court.

Which was read the first time.

Mr. Spann, from the committee appointed, reported a bill to make null and void all contracts in writing or otherwise, made and entered into between party and parties plaintiff or defendant, and Attorney or Attornies at Law, where the said Attorney or Attornies shall fail to attend to the suit or suits which he or they contracted to do, until the rendition of a judgment.

Which was read the first time.

Mr. Brown from the committee appointed, reported a bill to repeal an act to establish an election district in Camden county, so far as respects the Spanish creek district in said county.

Which was read the first time.

Mr. Hall from the committee appointed, reported a bill declaring what gifts of slaves shall be valid, for the prevention of frauds.

Which was read the first time.

A message was received from the House of Representatives, by Mr. Dawson their Clerk, informing the Senate, that the House was ready to receive them in the Representative Hall for the purpose of making the elections set apart for this day, agreeably to a joint resolution of the two Houses,

Whereupon, the President and members of Senate repaired to the Representative Hall, when both branches of the General Assembly proceeded to the election of a Secretary of State, for this State for and during the term of two years next ensuing the 24th inst.; and on counting out the ballots, it appeared that Col. Everard Hamilton, was duly elected.

They then proceeded to the election of a Treasurer for said State; and on counting out the ballots, it appeared that John Williams, Esq. was duly elected.

They then proceeded to the election of a Comptroller General; and on counting out the votes, it appeared that Thacker B. Howard, Esq. was duly elected.

They then proceeded to the election of a Surveyor General; and on counting out the ballots, it appeared that John Bethune, Esq. was duly elected.

The President and members then returned to their Chamber, and

The Senate adjourned until to-morrow morning 10 o'clock.

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*SATURDAY, 19th November, 1831.*

Agreeably to notice, Mr. Mealing moved for the appointment of a committee to prepare and report a bill to more effectually frame a law preventing the importation of slaves in this State, under any circumstance.

Ordered, That messrs. Mealing, Nisbet and Harlow, be that committee.

Agreeably to notice, Mr. Harlow moved for the appointment of a committee to prepare and report a bill to alter and amend an act to regulate the licensing of Physicians to practice in this State, passed 24th Dec. 1825.

Ordered, That messrs. Harlow, Boykin and Stratton, be that committee.

On motion,

The hon. Senators from Camden and Houston had leave of absence, after Tuesday next, for a few days; and the hon. Senator from the county of Henry, after to-day, for a few days also.

On motion of Mr. Wood, it was

*Resolved*, That the Chairman of the committee of Privileges and Elections, be authorised to issue process in the nature of a subpoena, to the hon. Mr. Neel, and William Hawthorn, Esq. to summon their respective witnesses, either to attend by the first Monday in December next, the Senate now in session in person, or send their testimony, legally taken in writing, in the case of the contested election for Decatur county for Senator.

Mr. Nisbet submitted the following preamble and resolutions :

The Legislature of the State of Georgia confide in the firmness, ability and integrity of the distinguished head of the Federal Administration. They believe that his administration is based upon the great and fundamental principles of State Sovereignty, unfettered industry, economy in the disbursement of the public money, equal Federal Legislation, and a rigid exaction of respect and equal privileges "with the most favored nations" from foreign States. The re-election of that distinguished statesman and venerable Patriot, they hold to be necessary to prevent the re-chartering of the United States Bank—to prevent the Constitution of the Union from infraction, the States from consolidation, and the South from pecuniary bankruptcy and political proscription. In his Indian policy he recognised the just rights of Georgia; has co-operated with us in our endeavours to remove the Indians within our limits, west of the Mississippi, and has contributed the aid of his name and talents to relieve the State from embarrassments which have grown out of the agitating and much agitated Cherokee land question.

*Therefore resolved, by both branches of the Legislature*, That Andrew Jackson be, and he is hereby nominated a candidate for the Presidency of the United States at the next election, and that he be, and is hereby respectfully recommended to the States of the confederacy, as the citizen best qualified for the duties and solemn responsibilities of that high trust.

Many of the public presses throughout the United States, opposed to the Administration of President Jackson, have laboured to induce a belief that a portion of the people of Georgia are willing to make common cause with the Vice President, and thereby contribute to the defeat of General Jackson. Recent events in this State, have been hailed in some of our sister States, as proof of the triumph here of John C. Calhoun and his principles, over the President, his friends and his principles. The great body of the people of this State, have no feeling in common with the pretensions or with many of the principles of Mr. Calhoun. They are unequivocally opposed to the claims which his friends have set up for him, to the Presidency, arrayed as they are against the rightful claims of Gen.

Jackson. No man can be the friend of Jackson, who directly or indirectly gives aid or countenance to the most industrious, the most bitter and the most talented of his opposers.

*Therefore be it resolved by both branches of the Legislature, That they will in no event favor the pretensions of Mr. Calhoun, either to the Presidency or the Vice Presidency of the U. States.— And that his Excellency the Governor be, and he is hereby respectfully requested, to furnish our Representatives in Congress, with copies of these resolutions.*

Which having been read, were ordered to lie upon the table.

The Senate took up the report of the committee of the whole, on the bill to pardon Isaiah Gaines, which having been agreed to, the bill was read the third time, and on the question being put "shall this bill now pass?" the same was determined in the negative.

Mr. Wood, from the committee appointed, reported a bill to return such public lands as were originally purchased for the use of the river Altamaha, to the opening a wagon road from Darien to Macon and Milledgeville.

Which was read the first time.

Mr. Bowen from the committee appointed, reported a bill to alter and amend the 2d section of an act to make permanent the public site in the county of Carroll, to name, incorporate and appoint commissioners for the same, and to establish an election district in said county.

Which was read the first time.

Mr. Echols of Coweta, from the committee appointed, reported a bill to provide for compensating Grand and Petit Jurors of this State, &c.

Which was read the first time.

Mr. Cleveland from the committees appointed, reported  
A bill to attach a part of Henry county to the county of DeKalb; and

A bill to attach a part of Fayette county to the county of DeKalb.

Which were severally read the first time.

Mr. Ray from the committees appointed, reported

A bill to incorporate the town of Thomasville, in the county of Thomas, and to appoint commissioners for the same; and

A bill to separate Rebecca T. Warner and Leonard T. Warner, her husband.

Which were severally read the first time.

Mr. McAllister from the committee appointed, reported a bill to incorporate the meeting house on the Bryan neck road, near Hard-

wick in the county of Bryan, and to appoint Trustees for the same.

Which was read the first time.

Mr Brown of Camden, from the committee on Enrolment, reported as duly enrolled and signed by the Speaker of the House of Representatives:

An act to extend the time for fortunate drawers in the land lotteries of 1818, 1819 and 1821, to take out their Grants.

Which was presented to, and signed by the President.

Ordered, That the committee on Enrolment carry said act to the Governor for his assent.

Mr. Wells from the committee appointed, reported a bill to repeal an act passed the 24th Dec. 1825, to add the Academic funds of the county of Telfair, to the Poor School funds of said county.

Which was read the first time.

Mr. Williams from the committee appointed, reported a bill to add a certain lot of land in the county of Randolph, to the county of Stewart.

Which was read the first time.

Mr. Wood presented a petition from Solomon D. Betton, contesting the right of the Hon. Senator from Baker county, to retain his seat as a member of the Senate of the present Session.

Which was read and referred to the committee on Privileges and Elections.

Mr. Neel from the committee appointed, reported a bill to authorise the Judge of the Superior court of the Southern circuit, to hold an extra term of said court, in the county of Decatur.

Which was read the first time.

Mr. Towns notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to incorporate the Oak Ridge Academy of Talbot county.

Mr. Towns presented a petition from the Inferior court of the county of Talbot, which was referred to a select committee, consisting of messrs. Towns, Stewart and Nisbet.

Mr. Echols of Walton, presented a petition signed by many individuals, asking an amendment to the law of 1825, relative to Physicians; and the repeal of all laws which give exclusive privileges to certain people in the practice of medicine.

Which was referred to the committee on Petitions.

On motion of Mr. Henly,

*Resolved*, That the joint military committee enquire into the expediency of altering the 3d section of the 4th article of the Constitu-

tion of this State, so as to make the general officers of the militia, elected by the people of their respective divisions and brigades ; and they have leave to report by bill or otherwise.

Mr. Burch notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill for the relief of William G. Milland, jr. tax collector for the county of Fayette, for the year 1828.

The following message was received from the House of Representatives, by Mr. Dawson, their Clerk.

The House of Representatives have passed the following bills, to wit :

A bill to alter and fix the time of holding the Inferior courts in the counties of Stewart and Randolph.

A bill to make permanent the site of the public buildings in the town of Lumpkin, in the county of Stewart.

A bill to separate and divorce Lucinda Strange and Coleman Strange, her husband.

A bill to separate and divorce Sally Smith from Washington Smith, her husband.

A bill to separate and divorce Theophilus Sailer and Mary Sailer, his wife.

And a bill to separate and divorce John Waldrup and Cynthia Waldrup, his wife.

The following bills were read the second time and ordered for a third reading :

A bill to prohibit the practice of horse racing on the public highways in the county of Chatham.

A bill giving the intendant and members of council of the town of St. Marys, authority to act as Justices of the peace in certain cases.

A bill to make permanent the public site in the county of Irwin, and appoint commissioners for the same.

A bill to separate and divorce Burwell Kendrick from his wife Lucy Kendrick ; and

A bill to repeal an act to establish an election district in Camden county, so far as respects the Spanish creek district in said county.

The following bills were read the second time and ordered for committees of the whole :

A bill to compel persons to serve as commissioners of Public roads in the county of Chatham, who may be appointed hereafter in conformity with the road laws now in force in said county.

A bill to appoint a board of Commissioners to cause a Canal from the Savannah and Ogeechee Canal to be constructed to the Chattahoochee river, &c.

A bill to incorporate Harmony Academy in Henry county, and to appoint Trustees for the same.

A bill to establish two additional election districts in the county of Marion.

A bill to authorise and compel John R. M. Neal, Treasurer of Randolph county in the year 1830, to pay over to the Justices of the Inferior court of Stewart county, any money which he held, or now holds, arising from the sale of lots in the town of Lumpkin, that was not otherwise disposed of previous to the division of Randolph county.

A bill to authorise James K. McLeod to establish a ferry across the Chattahoochee river, on his own land.

A bill to compensate Justices of the peace of Telfair county, in certain cases.

A bill to divide the county of Lee, &c.

A bill to establish two election districts in the county of Laurens, &c.

A bill to extend the Charter of the Bank of Darien.

A bill to remove the county site of Baker county, from Byron to lot No. 172 in the 8th district of said county, and to appoint commissioners for that purpose.

A bill to establish two additional election districts in the county of Baker.

A bill to prevent slaves and free persons of colour from preaching, and for other purposes.

A bill to repeal the 2d and 4th sections of an act passed on the 21st day of Dec. 1830, to appoint eleven additional Trustees of the University of Georgia, and to provide a permanent additional fund for the support of the same, and declare the number of Trustees which shall be necessary to form a board, and to authorise a loan of \$10,000 to the board of Trustees of said University, and to provide for the education of certain poor children therein mentioned.

A bill to raise a permanent fund for the support of common schools in the State of Georgia.

A bill to alter and amend an act to impose an additional tax on Peddlers and other itinerant traders, passed the 9th December, 1824.

A bill to change the present mode of voting.

A bill to establish certain Ferries therein mentioned.

A bill to make permanent the site of the public buildings in the county of Randolph at the town of Cuthbert, and to incorporate the same.

A bill to regulate the transportation of gunpowder, and to authorise the forfeiture of such as shall be transported in violation of the provisions of this act.

A bill requiring parties plaintiff who bring actions of slander and other vexatious suits, to give bond and security for the payment of costs; also requiring Justices of the Peace to take bonds from prosecutors before issuing warrants in State and criminal cases.

A bill to make null and void all contracts in writing or otherwise, made and entered into between parties plaintiff or defendant and Attorney or Attornies at law, where the said Attorney or Attornies shall fail to attend to the suit or suits which he or they contracted to do, until the rendition of a judgment.

A bill declaring what gifts of slaves shall be valid for the prevention of frauds ; and

A bill to define the powers of the courts of Law and Equity in this State to punish for contempt of court.

Ordered, That two hundred copies of said bill be printed for the use of the members of Senate.

The following communications were received from the Governor, by Mr. Cuthbert, his Secretary :

EXECUTIVE DEPARTMENT, GEORGIA, }  
Milledgeville, November 18th, 1831. }

*To the Senate :*

The resolution of the Senate, requesting me to lay before that branch of the General Assembly, any information in the Executive office, shewing the actings and doings of the superindants of the hands on the roads, together with any representations made to the Executive on the subject, has been received and considered.

It is desirable and proper that the information called for should be fully before the Legislature ; and I have every disposition to comply with the requisitions contained in the resolution. However, I find upon examination, that the extensive correspondence, various reports and other communications embraced in the subject, are so voluminous as to render a compliance with the resolution impracticable. Nevertheless, any information which this office contains, will be promptly rendered, and can at any time be obtained in any practicable mode which the Legislature may please to direct.

WILSON LUMPKIN.

Which was read, and ordered to lie upon the table for the present.

EXECUTIVE DEPARTMENT, GEORGIA, }  
Milledgeville, November 18th, 1831. }

*To the Senate :*

I herewith lay before the General Assembly, the report of Stephen F. Miller, Esq. the Agent appointed for the State, to complete a settlement with the Commissioners of the Oconee river, under the resolution of the General Assembly, passed on the 23d of Dec. 1830.

WILSON LUMPKIN.

Which was read, and referred to the committee on Agriculture and Internal Improvement.

The Senate resolved itself into a committee of the whole, Mr. Bowen in the Chair, on the bill to repeal so much of an act passed 22d Dec. 1828, for the better distribution and application of the Poor School fund, and to point out the mode of accounting for the disbursement of the Academic funds, as relates to the bond required to be given by the Trustee ; and having spent some time therein, the President resumed the Chair, and the bill was reported with amendment.



The Senate took up the report, and ordered it to lie upon the table for the present.

The bill to amend the 13th and 35th sections of the act passed on the 21st Dec. 1830, providing for the disposition of the Cherokee country, was ordered to lie on the table till called up.

The Senate resolved itself into a committee of the whole, Mr. Boykin in the Chair, on the bill prohibiting the issue or circulating of any post note or Bank note, under the sum of \$5; and having spent some time therein, the President resumed the Chair, and the bill was reported without amendment.

Ordered, That said report lie on the table for the present.

The Senate resolved itself into a committee of the whole, Mr. Brown of Camden in the Chair, on the bill to reduce the salary of the Judges of the Superior courts of this State; and having spent some time therein, the President resumed the Chair, and Mr. Brown reported disagreement to the bill.

The Senate took up the report, and

On motion of Mr. Nisbet to lay the same on the table for the remainder of the session, it was determined in the affirmative.

The yeas and nays being required are, Yeas 35—Nays 27.

Those in the affirmative are, messrs.

Avery	Ector	Nisbet
Baber	Harlow	Ray
Baker	Hines	Sheffield
Black	Holloway	Stapleton
Boykin	Loyall	Stewart
Brown of Camden	McAllister	St. George
Brown of Monroe	Mealing	Surreney
Bryan	Miller	Thomas of Appling
Cargille	Mitchell	Towns
Clayton	Mobley	Waldhauer
Coxe	Muncrief	Wooten
Dean	Neel	

Those in the negative are, messrs.

Anderson	Faris	Spann
Blackstone	Fullwood	Swain
Bowen	Graham	Temples
Cleveland	Groves	Ware
Cone	Hall	Wells
Devereux	Henley	White
Dunagan	McRae	Williams
Echols of Coweta	Prior	Wofford
Echols of Walton	Singleton	Wood

The Senate resolved itself into a committee of the whole, Mr. Brown of Monroe in the Chair, on the bill to change the time of holding the winter session of the Inferior court of Fayette county; and having spent some time therein, the President resumed the Chair, and the bill was reported without amendment.

The Senate took up and agreed to the report; and the bill was read the third time and passed.

The Senate adjourned until Monday morning 10 o'clock.

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*MONDAY, 21st November, 1831.*

On motion of Mr. Towns,

The Senate reconsidered so much of the Journal of Saturday last, as relates to the rejection of the bill to pardon Isaiah Gaines.

Agreeably to notice, Mr. Towns moved for the appointment of a committee to prepare and report a bill to incorporate the Oak Ridge Academy of Talbot county.

Ordered, That messrs. Towns, Echols of Walton, and Dunagan, be that committee.

Agreeably to notice, Mr. Burch moved for the appointment of a committee to prepare and report a bill for the relief of William Gilleland, jr. tax collector of the county of Fayette, for the year 1828.

Ordered, That messrs. Burch, Coxe and Clayton, be that committee.

Mr. Brown of Monroe, presented the petition of Julia Ann Miller, praying to be released from certain notes held by the State against her deceased husband.

Which was read and referred to a committee, consisting of messrs. Brown, Baber and Baker.

On motion of Mr. Wood,

The resolutions offered by himself, and those offered by Mr. Nisbet on Saturday last, relative to the re-election of Andrew Jackson to the Presidency of the U. States, were made the order of the day for Thursday next.

On motion of Mr. Wofford,

To have 200 copies of each of said resolutions printed for the use of the Senate;

Mr. Branham required the yeas and nays to be recorded on agreeing thereto; the yeas are 45—the nays are 24.

Those in the affirmative are, messrs

Anderson	Ector	Spann
Black	Everett	Stapleton
Blackstone	Faris	Stewart
Bowen	Fullwood	Surrency
Boydin	Graham	Swain
Bryan	Groves	Thomas of Lee
Burch	Hall	Temples
Cargille	Henly	Towes
Clayton	Mitchell	Waldhauer
Cleveland	Mobley	Ware
Cone	Mumcrief	Wells
Dean	Nisbet	Williams
Dunagan	Prior	Wofford
Echols of Coweta	Ray	Wood
Echols of Walton	Singleton	Wooten

Those in the negative are, messrs.

Allen	Coxe	McDougald
Avery	Daniell	McRae
Baber	Devereux	Mealing
Bailey	Harlow	Miller
Baker	Hines	Sheffield
Branham	Holloway	St. George
Brown of Camden	Loyall	Thomas of Appling
Brown of Monroe	McAllister	White

So the motion of mr. Wofford was agreed to.

On motion,

Leave of absence for a few days, was granted the hon. Senator from the county of Muscogee.

Mr. Stewart submitted the following preamble and resolutions :

Whereas, it is represented to this General Assembly by the commissioners of the Brunswick Rail Road Company, that the improvement of the navigation of a short branch of the Altamaha river, in Glynn county, called Rail Road Creek, (which is about one mile in length) will be indispensibly necessary, so as to admit the passing and re-passing of steam boats, pole boats, &c. &c. as preparatory to the commencement of the work of their Rail Road, from the head of said creek to the town of Brunswick. And, whereas, the opening of that superior port, to the middle and western counties of this State, is deemed of great importance to a large portion of the people of Georgia, which being the primary object of the said Rail Road Company. And, whereas, no Legislative aid having heretofore been bestowed upon the improvement of the navigation towards opening the Port of Brunswick, which is represented as being far superior to any other in Georgia, and at the same time situated *centrally* upon the sea coast of this State:

*Be it therefore resolved by the Senate and House of Representatives of the State of Georgia, in General Assembly met, That —*

thousand dollars be, and the same is hereby set apart as a fund, and to be placed in the bill of the general appropriation, to be vested in the purchase of able bodied negro men, between eighteen and forty-five years of age, and to be added to the present number of public hands employed upon the roads and rivers; the said negro men to be purchased within this State, for and on account of the State, under the direction and approbation of his Excellency the Governor, in the same manner as pointed out by the act of 1820, for the purchase of public hands for the improvement of the roads and rivers of this State.

*Be it further resolved*, That the aforesaid additional public hands, herein directed to be purchased, be placed at and in the neighborhood of Brunswick for the term of *one year*, to open and improve the navigation of Rail Road creek for the purpose aforesaid, and to cut out a road to the Altamaha Swamp.

*And be it further resolved*, That after the term of *one year*, the said public hands may be transferred to such other roads or rivers as the next Legislature may deem proper to direct.

Which were read and ordered to lie upon the table 'till called up.

Mr. Wood from the committee appointed, reported a bill to regulate the Poor Schools, and appropriate funds, so far as relates to McIntosh county.

Which was read the first time.

Mr. Harlow from the committee appointed, reported a bill to alter and amend an act to regulate the licensing of Physicians in this State, passed the 12th day of December, 1825.

Which was read the first time.

On motion of Mr. Branham.

*Resolved*, That the Treasurer is hereby requested to lay before the Senate, the sum expended during the last session of the Legislature for the Printing ordered by both branches of the Legislature, other than the Printing of the Laws and Journals.

Mr. Branham had leave to report, *instanter*, a bill providing for a Convention to revise and amend the 3d, 4th and 7th sections of the first article of the Constitution of this State.

Which was read the first time.

Mr. Williams from the committee appointed, reported a bill to lay out and organize a new division and two brigades of Georgia militia.

Which was read the first time.

On motion of Mr. Munerief.

*Resolved*, That the joint Judiciary committee be requested to enquire into the expediency and propriety of altering and amending the present mode of taking evidence by written interrogatories, with power to report by bill or otherwise.

Mr. Ware from the committee appointed, reported a bill to incorporate and make permanent the site of the public buildings in and for the county of Heard, at the town of Franklin.

Mr. Towns notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to alter and amend so much of the 9th section of an act to establish a Bank at Milledgeville, to be called and known by the name and style of the Central Bank of Georgia, &c. as establishes the salary of the Cashier of said Bank at \$1,500.

Mr. Towns presented a petition from Martha Birch, widow and relict of the late Charles C. Birch, asking payment for and on account of unsettled demands held by her husband in his life time, against the State.

Which was read, and referred to a special committee, consisting of messrs. Towns, Mitchell and McDougald, with power to report by bill or otherwise.

Mr. Prior from the committee appointed, reported a bill to provide for the alternation of the Judges of the Superior courts of this State, with each other.

And Mr. Prior had leave to report *instanter*, a bill prescribing the manner of taking testimony in cases where any person intends contesting the seat of any member returned as elected a Senator or Representative of this State.

Which were severally read the first time.

Mr. Cone notified the Senate, that after to-day he would move for the appointment of a committee to prepare and report a bill to prevent the barbarous practice of duelling.

Mr. White notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to amend the 9th section of the 3d article of the Constitution of the State of Georgia.

Mr. Dean from the committee appointed, reported a bill to alter and change the names of James Lupo and Jameson Lupo, to that of James Watson and Jameson Watson, and to legitimatise the same.

Which was read the first time.

Mr. Burch from the committee appointed, reported a bill to add a part of Henry county, to the county of Fayette.

Which was read the first time.

Mr. Bailey notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to

incorporate the town of Franklin, in the county of Troup, and to appoint commissioners for the government of the same.

A message was brought from the House of Representatives by Mr. Iverson, assistant Clerk thereof, informing the Senate, that leave of absence for a few days, had been granted by the House to Wm. C. Dawson, Clerk of the same; and that the House had appointed Alfred Iverson, Esq. Clerk *pro tempore*.

The following bills were read the third time and passed:

A bill to authorize the Justices of the Inferior court of Jefferson county, to establish an institution for the invalid poor of said county.

A bill to prohibit the practice of horse racing on the public highways, in the county of Chatham.

A bill giving the Intendant and members of Council of the town of St. Mary's, authority to act as Justices of the Peace, in certain cases.

A bill to make permanent the public site in the county Irwin, and to appoint Commissioners for the same.

A bill to repeal an act to establish an election district in Camden county, so far as respects the Spanish creek district, in said county.

The bill to separate and divorce Andrew O'Neal and Delpha O'Neal his wife, was read the third time, and on the passage of the bill, the yeas and nays being required, it was determined in the affirmative; the yeas are 56—the nays are 13.

Those in the affirmative are, messrs.

Allen	Ector	Prior
Avery	Everett	Ray
Baber	Faris	Sheffield
Black	Graham	Spann
Bowen	Groves	Stapleton
Boykin	Hall	Stewart
Branham	Harlow	St. George
Brown of Camden	Henley	Swain
Brown of Monroe	Hines	Thomas of Appling
Bryan	Holloway	Thomas of Lee
Burch	Loyall	Temples
Cargille	McAllister	Towns
Clayton	McDougald	Waldhauer
Cleveland	McRae	Ware
Coxe	Mealing	White
Dean	Miller	Williams
Devereux	Mitchell	Wofford
Dunagan	Muncrief	Wood
Echols of Coweta	Nisbet	

Those in the negative are, messrs.

Anderson	Daniell	Singleton
Bailey	Echols of Walton	Surrency
Baker	Fullwood	Wells
Blackstone	Mobley	Wooten
Cone		

The bill to separate and divorce Ariana B. Drumans and John S. Drumans her husband, was read the 3d time, and on the passage of the bill, the yeas and nays being required, it was determined in the affirmative; the yeas are 61—the nays are 8.

Those in the affirmative are, messrs.

Allen	Echols of Coweta	Nisbet
Avery	Echols of Walton	Prior
Baber	Heter	Ray
Bailey	Everett	Sheffield
Black	Faris	Spaun
Blackstone	Graham	Stapleton
Bowen	Groves	Stewart
Boykin	Hall	St. George
Branham	Harlow	Swain
Brown of Camden	Henly	Thomas of Appling
Brown of Monroe	Hines	Thomas of Lee
Bryan	Holloway	Temples
Burch	Loyall	Towns
Cargille	McAllister	Waldhauer
Clayton	McDougald	Ware
Cleveland	McRae	White
Coxe	Mealing	Williams
Daniell	Miller	Wofford
Dean	Mitchell	Wood
Devereux	Munierief	Wooten
Dunagan		

Those in the negative are, messrs.

Anderson	Fullwood	Surrency
Baker	Mobley	Wells
Cone	Singleton	

The bill to separate and divorce Sarah Freeman and Caven Freeman her husband, was read the third time, and on the passage of the bill, the yeas and nays being required, it was determined in the affirmative; the yeas are 52—the nays are 14.

Those in the affirmative are, messrs.

Allen	Bowen	Brown of Monroe
Baber	Boykin	Bryan
Bailey	Branham	Burch
Black	Brown of Camden	Cargille

Clayton	Hines	Stewart
Cleveland	Holloway	Swain
Dean	Loyall	Thomas of Appling
Devereux	McAllister	Thomas of Lee
Dunagan	McDougald	Temples
Echols of Walton	Miller	Towns
Ector	Muncrief	Waldhauer
Everett	Nisbet	Ware
Faris	Prior	White
Graham	Ray	Williams
Groves	Sheffield	Wofford
Hall	Spann	Wood
Harlow	Stapleton	Wooten
Henly		

Those in the negative are, messrs.

Anderson	Fullwood	Singleton
Baker	McRae	St. George
Blackstone	Mealing	Surrency
Cone	Mitchell	Wells
Echols of Coweta	Mobley	

The bill to separate and divorce Barwell Kendrick from his wife Lucy Kendrick, was read the third time, and on the passage of the bill, the yeas and nays being required, it was determined in the affirmative; the yeas are 59—the nays are 17.

Those in the affirmative are, messrs.

Allen	Echols of Coweta	Prior
Avery	Echols of Walton	Ray
Baber	Ector	Sheffield
Bailey	Everett	Spann
Black	Faris	Stapleton
Bowen	Graham	Swain
Boykin	Groves	Thomas of Appling
Braham	Hall	Thomas of Lee
Brown of Camden	Harlow	Temples
Brown of Monroe	Henly	Towns
Bryan	Hines	Waldhauer
Burch	Holloway	Ware
Cargille	Loyall	White
Clayton	McAllister	Williams
Cleveland	McRae	Wofford
Dean	Miller	Wood
Devereux	Muncrief	

Those in the negative are, messrs.

Anderson	Fullwood	Stewart
Baker	Mealing	St. George
Blackstone	Mitchell	Surrency
Cone	Mobley	Wells
Daniell	Nisbet	Wooten
Dunagan	Singleton	



The Senate took up and amended the report on the bill to repeat so much of an act passed on the 22d Dec. 1828, for the better distribution and application of the poor school fund, and to point out the mode of accounting for the disbursement of the Academic funds, as relates to the bond required to be given by the Trustee, by striking out the sum of *Four* thousand dollars, as the penalty of the bond, and inserting in lieu thereof, the sum of *Two* thousand dollars.

On motion of Mr. Nisbet,

The report was recommitted to a committee of the whole House.

The Senate resolved itself into a committee of the whole, Mr. Bryan in the Chair, on the bill to alter and change the name of *Tabitha Newborn*, to that of *Tabitha Sweat*, and legitimize the same; and also to alter and change the name of *Elisha Jarrel* to that of *Elisha Wilkerson*; and having spent some time therein, the President resumed the Chair, and Mr. Bryan reported progress, and asked leave to sit again.

The Senate took up and agreed to the report.

The Senate resolved itself into a committee of the whole, Mr. Branham in the Chair, on the bill to incorporate a Banking company, under the name of "*The Commercial Bank at Macon*;" and having spent some time therein, the President resumed the Chair, and the bill was reported with amendments.

Ordered, That the report lie on the table for the present.

Mr. Singleton notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to alter and amend the several laws concerning the county Academies of this State.

Mr. Stewart notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to add a part of Wayne county to the county of Glynn.

Mr. Wofford presented the petition of *Ambrose Harnage*; which was referred to the committee on Petitions.

Mr. Waldhauer presented the report of the Trustee of the poor school fund of *Effingham* county; which was referred to the committee on Public Education and Free Schools.

The Senate then adjourned until to-morrow morning 10 o'clock.

**TUESDAY, 22d, Nov. 1831.**

Agreeably to notice, Mr. Towns moved for the appointment of a committee to prepare and report a bill to alter and amend so much of the 9th section of an act entitled an act to establish a Bank at Milledgeville, to be called and known by the name and style of the Central Bank of Georgia, &c. as establishes the salary of the Cashier of said Bank at \$1500.

Ordered, That messrs. Towns, Boykin and Tennille, be that committee.

Agreeably to notice, Mr. Cone moved for the appointment of a committee to prepare and report a bill to prevent the barbarous practice of Duelling.

Ordered, That messrs. Cone, Baker and Blackstone, be that committee.

Agreeably to notice, Mr. White moved for the appointment of a committee to prepare and report a bill to amend the 9th section of the third article of the Constitution of the State of Georgia.

Ordered, That messrs. White, Branham and Nislet, be that committee.

Agreeably to notice, Mr. Bailey moved for the appointment of a committee to prepare and report a bill to incorporate the town of Franklin, in the county of Troup, and to appoint commissioners for the government of the same.

Ordered, That messrs. Bailey, Baber and Ector, be that committee.

Agreeably to notice, Mr. Singleton moved for the appointment of a committee to prepare and report a bill to alter and amend the several laws concerning the county Academies of this State.

Ordered, That messrs. Singleton, Avery and Stewart, be that committee.

Agreeably to notice, Mr. Stewart moved the appointment of a committee to prepare and report a bill to add a part of Wayne county to the county of Glynn.

Ordered, That messrs. Stewart, Sheffield and Anderson, be that committee.

Mr. Harlow from the committee on the State of the Republic, to whom was referred the documents in relation to the renting the improvements in the Cherokee territory,

*Reported*, That it appears that the whole amount for which the several improvements rented by the State's agent in the Cherokee territory is \$7570. And it further appears, that his Excellency the Governor, employed the said agent to retain for his services, ten

per cent on said amount, which commissions of the said agent amount to the sum of \$750 70 cts ; but in as much as it does not appear from the accompanying documents, what amount of notes has been deposited in the Treasurer's Office by the State's agent, as directed by law, (which notes have since been transferred to the Central Bank by virtue of a resolution to that effect,) your committee beg leave to propose the following resolution :

*Resolved*, That the officers of the Central Bank of Georgia, inform both branches of the Legislature, the amount of notes received from the Treasurer of this State for the rent of certain improvements in the Cherokee territory, according to the provisions of an act passed the 22d day of December, 1830.

Which having been read, was agreed to.

On motion,

The honorable Senator from the county of Butts had leave of absence after Thursday next, for a few days. And the honorable Senators from the counties of Meriwether and Laurens, after Saturday next, for a few days.

Mr. Brown of Monroe, from the committee to whom was referred the petition of Mrs. Julia Ann Miller, reported,

That the committee are aware of the evils that may arise on legislation on private Petitions ; nevertheless, on a free consideration of the peculiar and distressed condition of Mrs. Julia Ann Miller, think her entitled to legislative interposition, and venture to recommend the following resolution :

*Resolved*, That Mrs. Julia Ann Miller, and her heirs, and assigns, and surties, be absolved from the payment of the notes mentioned in her petition, as fully and as clearly as though no such obligation had ever been given.

Which was read and ordered to lie on the table for the present.

Mr. Stewart from the committee appointed, reported a bill to add a part of Wayne county to the county of Glynn.

Which was read the first time.

Mr. Daniell presented a petition of the Pilots for the bar and river Savannah, relative to the laws regulating the shipping and pilotage of the Port of Savannah.

Which was read and referred to a select committee, consisting of Messrs. Daniell, Brown of Camden, and Mealing, with power to report by bill, or otherwise.

Mr. Temples laid upon the table the following resolution :

*Resolved*, That his Excellency the Governor, be requested after the first day of January next, to send a competent Surveyor to examine the second district of Muscogee formerly, now Marion county, and report whether the same has been surveyed according to law ; and if it is found not to be surveyed according to law, his Excellency the Governor, is hereby requested to have the same surveyed, giving Noble A. Hardee, the district surveyor, fifty days previous notice of such examination and survey.

*And be it further resolved*, That if it is found the surveyor has failed to perform his duty according to law, his Excellency is hereby requested to enter suit on the said Noble A. Hardee's bond as quick as possible.

Mr. Bailey from the committee appointed, reported a bill to grant relief and indulgence to purchasers of public lands.

Which was read the first time.

Mr. Echols of Coweta, offered the following resolution :

*Be it resolved by the Senate*, That no member of Senate shall be allowed to draw pay for time of absence, unless they be sick or some of their family be dangerously sick.

And on the question to agree thereto, the yeas and nays being required, it was determined in the negative.

The yeas are 30—the nays are 40.

Those in the affirmative are, messrs.

Anderson	Fullwood	Singleton
Baker	Groves	Stewart
Black	Hall	Surrency
Blackstone	Henly	Swain
Cleveland	Hines	Thomas of Lee
Cone	Holloway	Temples
Devereux	McAllister	Ware
Echols of Coweta	Mcaling	Wells
Echols of Walton	Muncrief	Williams
Everett	Sheffield	Wood

Those in the negative are, messrs.

Allen	Daniell	Parrish
Avery	Dean	Prior
Baber	Ector	Ray
Bailey	Graham	Smith
Bowen	Harlow	Spann
Boykin	Loyall	Stapleton
Branham	McDongald	St. George
Brown of Camden	McRae	Thomas of Appling
Brown of Monroe	Mercer	Towns
Bryan	Miller	Waldhauer
Burch	Mitchell	White
Cargille	Mobley	Wofford
Clayton	Nisbet	Wooten
Coxe		

Mr. Branham laid the following resolution upon the table :

*Resolved*, That two dollars shall be the per diem pay for the services of members of the General Assembly ; and that it is hereby recommended that this sum be inserted in the appropriation Law.

On motion of Mr. Wood, it was

*Resolved*, That the joint committee of Education and Free Schools, be directed to enquire into the propriety as well as humanity of making a provision and reporting on the selection and the expense of educating — dumb and deaf males, to qualify them to act hereafter as teachers of that unfortunate class of the human family in this State.

Mr. Temples laid upon the table the following preamble and resolutions:

Whereas, sundry persons who are indebted by judgments to the State, have drawn or may draw lands in past or future land lotteries; and whereas, it is proper that said lands should be made liable to the debts due the State by those who have drawn them:

*Be it therefore resolved*, That his Excellency the Governor be, and he is hereby authorized and directed to have grants issued for such tracts of land as have been drawn in the name of judgment debtors of the State, where the said judgment, owned by the State shall have precedence over all other judgments against said debtor; and he shall direct such land, so granted, to be sold at sheriff's sales under the judgments held by the State.

The re-considered bill to pardon Isaiah Gaines, was made the order of the day for Wednesday next.

Mr. Towns from the committee appointed, reported a bill to amend in part the 9th section of an act to establish a Bank at Milledgeville, to be called and known by the name and style of the Central Bank of Georgia, to appropriate moneys, bank stock, and other securities to form the capital stock of said bank, and to incorporate the same; so far as regards the salary of the Cashier of said Bank.

Which was read the first time.

The bill to abolish Penitentiary confinement in this State, except in certain cases, and for other purposes therein specified.

Was ordered to lie on the table until called up.

The report of the committee of the whole House, on the bill prohibiting the issue or circulating of any post note or bank note under the sum of five dollars, was taken up and agreed to, and the bill was read the third time and passed.

The Senate took up by sections, the report of the committee of the whole on the bill to incorporate a Banking Company under the name of the Commercial Bank at Macon, and having amended the same,

Mr. Nisbet proposed the following as an additional section:

*“And be it further enacted*, That upon presentation and demand of specie for any note or notes issued by said Bank, such note or notes shall be redeemed in specie; and upon failure to pay specie

for such note or notes, so presented, the Directors shall be liable in their corporate and individual capacities for twice the amount of such note or notes—to be collected by action of debt or on the case, in any Court of Law in this State.”

And on the question, to agree to the proposed additional section, the yeas and nays being required, it was determined in the negative.

The yeas are 31—the nays are 41.

Those in the affirmative are, messrs.

Allen	Harlow	Nisbet
Anderson	Henly	Ray
Avery	Hines	Stapleton
Bailey	Loyall	St. George
Baker	McRae	Surrency
Blackstone	Mercer	Swain
Coxe	Miller	Thomas of Lee
Devereux	Mitchell	Waldhauer
Dunagan	Mobley	Williams
Fullwood	Muncrief	Wooten
Groves		

Those in the negative are, messrs.

Baber	Dean	Sheffield
Black	Echols of Coweta	Singleton
Bowen	Echols of Walton	Smith
Boykin	Ecter	Spann
Branham	Everett	Stewart
Brown of Camden	Faris	Thomas of Appling
Brown of Monroe	Graham	Temples
Bryan	Hall	Towns
Burch	Holloway	Ware
Cargille	McAllister	Wells
Clayton	McDougald	White
Cleveland	Mealing	Wofford
Cone	Parrish	Wood
Daniell	Prior	

The report having been agreed to,

The bill was read the third time, and on its passage, the yeas and nays being required—it was determined in the affirmative.

The yeas are 43—the nays 29.

Those in the affirmative are, messrs.

Baber	Brown of Camden	Clayton
Black	Brown of Monroe	Cleveland
Bowen	Bryan	Cone
Boykin	Burch	Daniell
Branham	Cargille	Dean

Echols of Coweta	McDougald	Spann
Echols of Walton	Miller	Stewart
Ector	Mitchell	Thomas of Appling
Everett	Mobley	Temples
Faris	Parrish	Towns
Graham	Prior	Ware
Hall	Sheffield	Wells
Holloway	Singleton	Wofford
Loyall	Smith	Wood
McAllister		

Those in the negative are, messrs.

Allen	Groves	Stapleton
Anderson	Harlow	St. George
Avery	Henly	Surrency
Bailey	Hines	Swain
Baker	McRae	Thomas of Lee
Blackstone	Mealing	Waldhaucr
Coxe	Mercer	White •
Devereux	Muncrief	Williams
Danagan	Nisbet	Wooten
Fullwood	Ray	

The following message was received from the House of Representatives, by Mr. Iverson, their Clerk *pro tem*.

The House of Representatives have passed a bill to alter and amend the 4th section of an act assented to 22d December, 1830, entitled an act to authorize the survey and disposition of lands within the limits of Georgia, in the occupancy of the Cherokee tribe of Indians, and all other unlocated lands within the limits of said State—claimed as Creek land, and to authorize the Governor to call out a military force to protect surveyors in the discharge of their duties, and to provide for the punishment of persons who may prevent or attempt to prevent any surveyor from performing his duties as pointed out by this act, or who shall wilfully cut down and deface any marked trees, or remove any land mark which may be made in pursuance of this act, and to protect the Indians in the peaceable possession of their improvements, and of the lots on which the same may be situate.

They have also agreed to a resolution authorizing and requesting the Governor to furnish stationery to the officers of both branches of the Legislature for the use of the General Assembly.

The Senate took up the report of the Printing committee of the 18th inst. and agreed thereto.

The Senate then adjourned until to-morrow morning, 10 o'clock.

WEDNESDAY, 32d, November, 1831.

Mr. Bailey from the committee appointed, reported a bill to alter and amend the 6th section of an act to sell and dispose of the State's interest in lots of land which have been or may hereafter be condemned as fraudulently drawn in the counties of Lee, Muscogee, Marion, Harris, Talbot, Troup, Meriwether, Coweta and Carroll, passed the 20th day of Dec. 1823.

Which was read the first time.

Mr. Blackstone had leave to introduce *instantly*, a bill to add that part of the funds heretofore set apart for the support of county Academies to the poor school fund, so far as respects the county of Crawford.

Which was read the first time.

Mr. Baber presented the petition of Thomas G. Bates and his associates of Bibb county, relative to the establishment of a Brick-yard, on the reserve at Macon; which having been read,

Mr. Baber had leave to introduce a bill to vest in Thomas G. Bates, his heirs and assigns, the right to establish a Brick-yard on a portion of the Land adjoining the town of Macon, set apart by an act of 1826, to preserve the timber in the vicinity of the town of Macon.

Which was read the first time.

Mr. Towns from the committee, appointed, reported a bill for the relief of the citizens of Talbot county.

Which was read the first time.

Mr. Baber presented the petition of many individuals of Bibb county, praying the abolishment of a toll gate erected by the Inferior court of Bibb county, over a certain causeway or Turnpike on the road leading from Macon, into Houston county.

Which was read and referred to a select committee consisting of Messrs. Baber, Towns and Dean.

Mr. Cone from the committee appointed, reported a bill to prohibit the barbarous practice of Duelling, and to compel each member to take an oath, &c.

Which was read the first time.

Mr. Dean had leave to report *instantly*, a bill to add the county of Houston to the Southern circuit, and to alter the times of holding the Superior and Inferior courts in said county.



The President laid before the Senate, the following communication, received from the Treasurer :

TREASURY DEPARTMENT, }  
Milledgeville, 23d Nov. 1831. }

In obedience to a resolution of the Hon. the Senate, "requesting the Treasurer to lay before them the sum expended during the last session of the Legislature, for the printing ordered by both branches of the Legislature, other than the printing of the Laws and Journals." I have the honor to state that the sum of \$714 appears to have been expended for that purpose.

I have the honor to be

Very Respectfully,

Signed,

HINES HOLT.

*Treasurer.*

Mr. Boykin had leave to report *instantly*, a bill to require all the Chartered Banks of this State, to redeem their bills or notes with specie, upon presentation and demand of specie.

Which was read the third time.

The Senate took up the reconsidered bill, to pardon Isaiah Gaines,

Which was read the first time.

And on the question, "shall this bill now pass?" the yeas and nays being required, it was determined in the negative.

The yeas are 34—the nays are 36.

Those in the affirmative are, messrs.

Allen	Ector	Sheffield
Avery	Everett	Smith
Baber	Faris	Spann
Bailey	Fullwood	Stapleton
Black	Graham	Swain
Blackstone	Hall	Thomas of Lee
Boykin	McAllister	Tennillo]
Branham	McDougald	Towns
Brown of Monroe	Mitchell	White
Burch	Parrish	Williams
Clayton	Prior	Wooten
Daniell		

Those in the negative are, messrs.

Anderson	Cleveland	Echols of Walton
Baker	Cone	Groves
Bowen	Coxe	Harlow
Bryan	Devereux	Henley
Cargille	Echols of Coweta.	Hines.

Holloway	Muncieff	Thomas of Appling
Loyall	Nisbet	Temples
McRae	Ray	Waldhauer
Mealing	Singleton	Ware
Merceer	Stewart	Wells
Miller	St. George	Wofford
Mobley	Surreney	Wood

The following message was received from the House of Representatives, by Mr. Iverson, their Clerk, *pro tem*.

The House of Representatives have passed the following bills, to wit :

A bill to reduce the salaries of the public officers of this State ; and

A bill to incorporate a Volunteer Company in the town of Washington, Wilkes county, to be known by the name of the " Washington Guard."

The Senate again resolved itself into a committee of the whole, Mr. Burch in the Chair, on the recommitted bill to repeal so much of an act passed on the 22d Dec. 1838, for the better distribution and application of the Poor School fund ; and to point out the mode of accounting for the disbursement of the Academic funds, as relates to the bond required to be given by the Trustee; and having spent some time therein, the President resumed the Chair, and the bill was reported with amendment.

Ordered, That the report lie upon the table for the present.

The following communication were received from the Governor, by mr. Cuthbert, his Secretary :

EXECUTIVE DEPARTMENT, GEORGIA, }  
Milledgeville, Nov 23, 1831. }

*To the Senate, and  
House of Representatives :*

Herewith I lay before the General Assembly, such information as this Department can furnish in relation to the public arms and munitions of war, of various kinds, belonging to the State. The documents submitted from No. 1 to 8 inclusive, exhibit their amount and condition, at the places of deposit therein pointed out, and also shew the quota of arms ready for delivery by the proper officer of the General Government, and presumed to have been received, during the present year, under the provisions of the act of Congress of 1808.

WILSON LUMPKIN.

Which was read and referred, together with the accompanying documents, to the Military committee.

The Senate resolved itself into a committee of the whole, Mr. Cleveland in the Chair, on the bill amendatory of the act entitled

an act to amend an act, regulating patrols, passed the 18th Nov. 1765, so as to vest the appointment of patrols in the Justices of the Peace, so as to allow them compensation for certain services, and for other purposes, so far as respects the county of Liberty; and having spent some time therein, the President resumed the Chair, and the bill was reported with amendment.

The Senate took up, amended and agreed to the report, and the bill was read the third time, and passed, under the title of

A bill "amendatory of the act passed 20th Dec. 1830, which vests the appointment of the patrols in the Justices of the Peace, so as to allow them compensation for certain services, and for other purposes, so far as relates to Liberty, Glynn, Bryan, Morgan, McIntosh and Effingham counties, and Chatham, with the exception of the city of Savannah, and the hamlets thereof.

The Senate resolved itself into a committee of the whole, Mr. Cone in the Chair, on the bill to alter and amend an act passed 23d Dec. 1830, so far as respects the Free School fund of Emanuel county; and having spent some time therein, the President resumed the Chair, and the bill was reported without amendment.

The Senate took up, amended and agreed to the report, and the bill was read the third time and passed.

The Senate adjourned until to-morrow morning, 10 o'clock.

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*THURSDAY, 24th Nov. 1831.*

On motion of Mr. Towns,

To reconsider the *reconsidered* bill to pardon Isaiah Gaines, which was rejected on yesterday by the Senate, the yeas and nays were required, and it was determined in the affirmative.

The yeas are 43—the nays 26.

Those in the affirmative are, messrs.

Allen	Brown of Monroe	Daniell
Avery	Burch	Ector
Black	Clayton	Everett
Blackstone	Cleveland	Faris
Branham	Coxe	Fullwood

Graham	Muncrief	Thomas of Appling
Hall	Parrish	Thomas of Lee
Hines	Prior	Tennille
Holloway	Sheffield	Towns
McAllister	Smith	Waldhauer
McDougald	Spann	White
McRae	Stapleton	Williams
Mealing	Surrency	Wofford
Miller	Swain	Wooten
Mitchell		

Those in the negative are, messrs.

Anderson	Echols of Coweta	Ray
Baber	Echols of Walton	Singleton
Bailey	Groves	Stewart
Baker	Harlow	St. George
Bowen	Henly	Temples
Bryan	Loyall	Ware
Cargille	Mercer	Wells
Devereux	Mobley	Wood
Dunagan	Nisbet	

Mr. Baber had leave to report *instantly*, a bill to vest a certain lot in the town of Macon in the Episcopal Church thereof, and to repeal a part of the 5th section of an act to amend the several acts for the incorporation and Government of the town of Macon, and to vest a certain lot in Macon in the Episcopal Church thereof, passed the 22d day of Dec. 1830.

Which was read the first time.

Mr. Baber notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to define the tenure of office of the Secretary of State, Treasurer, Surveyor General and Comptroller General.

On motion of Mr. Brown of Monroe,

The report of the committee upon the Petition of Mrs. Julia Ann Miller, made on the 22d inst. was withdrawn: and

Mr. Brown of Monroe, had leave to report *instantly*, a bill for the relief of Julia Ann Miller, and her securities.

Which was read the first time.

Mr. Holloway had leave to report *instantly*, a bill to separate and divorce Nathaniel Perritt and Sally Perritt, his wife.

Which was read the first time.

Mr. Mitchell from the committee appointed, reported a bill to lay out the Gold region, in the lands at present in the occupancy of the Cherokee Indians into small lots, and dispose of the same by separate lottery.

Which was read the first time.

**Mr. Cleveland** had leave to introduce *instantly*, a bill to alter and change the name of Mary Devenport, to that of Mary Queen.

Which was read the first time.

**Mr. Daniell** from the committee appointed, reported a bill amendatory of the several laws of force in this State, relative to the Pilotage of the Port of Savannah, and to regulate the conduct of masters of vessels, towards the Pilots of said Port.

Which was read the first time.

**Mr. Blackstone** had leave to introduce *instantly*, a bill to authorise the payment to the Trustees of the Crawford county Academy, of all arrears or dividends now due, or to which said institution may be entitled; and to provide for the payment to the same, of all dividends that may hereafter be declared in favor thereof.

Which was read the first time.

**Mr. Singleton** from the committee appointed, reported a bill to alter and amend the several acts relating to the county Academies of the State of Georgia.

Which was read the first time.

**Mr. Faris** from the committee appointed, reported a bill to repeal so much of the 21st section of an act to raise a tax for the support of Government for the year 1805, passed Dec. 12, 1804, as provides that no replevying shall be, or any judicial interference, be had in any levy or distress for taxes under said law, and to authorise an affidavit of illegality to tax executions, in certain cases.

Which was read the first time.

**Mr. Henly** presented a petition signed by many individuals of Lincoln and Columbia, relative to the improvement of the road leading from the Quaker Springs through Goshen, to Petersburg in this State.

Which was referred to the joint committee on Agriculture and Internal Improvement.

**Mr. Branham** had leave to report *instantly*, a bill to remove the lock upon the Oconee river below Milledgeville, so far as to admit the free passage of fish.

Which was read the first time.

A message was brought from the House of Representatives, by **Mr. Iverson**, their Clerk *pro tem.* informing the Senate, that the House of Representatives had agreed to a resolution in favor of **Joseph W. Jackson**, Solicitor General of the Eastern circuit.

To a report and resolution in favor of **Dr. Alexander Jones**; and

To a report and resolution in favor of **Martha Leveritt**, Executrix of **Robert Leveritt**, deceased.

The Senate took up the preamble and resolutions of Mr. Wood, of the 8th inst. relative to the Presidency--and \*

After some discussion, Mr. Baber moved that they do lie on the table the remainder of the session.

On this motion, the yeas and nays were required to be recorded. The yeas are 2—the nays 68.

So the motion was determined in the negative.

Those in the affirmative are, messrs.

Baber

Mercer

Those in the negative are, messrs.

Allen	Everett	Sheffield
Anderson	Farris	Singleton
Avery	Fullwood	Smith
Bailey	Graham	Spain
Baker	Groves	Stapleton
Black	Hall	Stewart
Blackstone	Harlow	St. George
Bowen	Henly	Surrency
Branham	Hines	Swain
Brown of Monroe	Holloway	Thomas of Appling
Bryan	Loyal	Thomas of Lee
Burch	McAllister	Temple
Cargille	McDougald	Teattle
Clayton	McRae	Town
Cleveland	Mealing	Waldhauer
Cone	Mitchell	Ware
Coxe	Mobley	Wells
Daniell	Muncrief	White
Devereux	Nisbet	Williams
Dunagan	Parrish	Wofford
Echols of Coweta	Prior	Wood
Echols of Walton	Ray	Wooten
Ector		

The preamble was, on motion of Mr. Daniell,

Amended by striking out the words "and will tend to perpetuate the happiness and prosperity of our beloved country, as well as preserve unimpaired the Federal Constitution," and inserting in lieu thereof, the words "as such an event will tend to perpetuate the happiness and prosperity of our beloved country, by preserving unimpaired the Federal Constitution."

In the 1st reason assigned, the word "Federal," on motion of Mr. Daniell, was inserted before the word Union.

The 2d reason in the words following:—"Because he has avowed an honest conviction, that the payment of the national debt is the surest means of reconciling conflicting interests at present existing, and thereby render permanent the blessings we now enjoy.—If he is re-elected there is no doubt, that all important object will be accomplished."

Was, on motion of Mr. Daniell stricken out, and the following inserted in lieu thereof:

"Because of the strong determination which he has expressed on several occasions, to have the national debt extinguished, that the burthens upon the agricultural interests of the South, and the commercial interests of the whole country, may be removed—authorise the hope, that under his second administration, the three great interests of Agriculture, Commerce and Manufactures, may be placed upon a common footing of equal protection and equal freedom, whereby the Constitution will be restored, and the South relieved from the injustice of the present system of drawing tribute from the many for the benefit of the few."

Mr. Daniell proposed the following as a *fourth* reason.

"Because by putting his veto to the Maysville road-bill, he has arrested the system of Internal Improvement, which proposed to establish one violation of the Constitution, by the repetition of another—to maintain the Tariff system, by creating a permanent drain from the Federal Treasury—to perpetuate an extravagant and oppressive taxation, by a profligate expenditure of the public revenue.

Which was read and agreed to.

The resolution in the following words :

*Be it resolved, &c.* "That the people of this State look forward with deep solicitude, to the re-election of Andrew Jackson, to the Presidency of the United States at the ensuing election, and do hereby pledge themselves to support him for that high office.—They do not hesitate to declare it as their opinion, that in the disturbed and excited feelings of the country, he is the most fit and proper person to be supported, and do in the most earnest terms recommend him to the people of our sister States, at the approaching election," being under consideration,

Mr. Daniell moved to strike out the words "in the disturbed and excited feelings of the country."

On striking out,

The yeas and nays were required to be recorded, and are—  
Yeas 40—Nays 29.

So it was determined to strike out.

Those in the affirmative are, messrs.

Allen  
Anderson

Avery  
Bailey

Baker  
Blackstone

<b>Branham</b>	<b>Holloway</b>	<b>Parrish</b>
<b>Brown of Monroe</b>	<b>Loyall</b>	<b>Ray</b>
<b>Bryan</b>	<b>McAllister</b>	<b>Sheffield</b>
<b>Burch</b>	<b>McDougald</b>	<b>Stapleton</b>
<b>Coxe</b>	<b>McRae</b>	<b>St. George</b>
<b>Daniell</b>	<b>Mealing</b>	<b>Surrency</b>
<b>Devereux</b>	<b>Mercer</b>	<b>Thomas of Appling</b>
<b>Ector</b>	<b>Miller</b>	<b>Thomas of Lee</b>
<b>Groves</b>	<b>Mitchell</b>	<b>Waldhauer</b>
<b>Hall</b>	<b>Muncrief</b>	<b>White</b>
<b>Harlow</b>	<b>Nisbet</b>	<b>Williams</b>
<b>Hines</b>		

Those in the negative are, messrs.

<b>Black</b>	<b>Faris</b>	<b>Swain</b>
<b>Bowen</b>	<b>Fullwood</b>	<b>Temples</b>
<b>Cargille</b>	<b>Graham</b>	<b>Tennille</b>
<b>Clayton</b>	<b>Henly</b>	<b>Towns</b>
<b>Cleveland</b>	<b>Mobley</b>	<b>Ware</b>
<b>Cone</b>	<b>Prior</b>	<b>Wells</b>
<b>Dunagan</b>	<b>Singleton</b>	<b>Wofford</b>
<b>Echols of Coweta</b>	<b>Smith</b>	<b>Wood</b>
<b>Echols of Walton</b>	<b>Spenn</b>	<b>Wooten</b>
<b>Everett</b>	<b>Stewart</b>	

The preamble and resolution as amended, were then unanimously agreed to.

The Senator from Bibb, was excused from voting on the foregoing preamble and resolution.

The preamble and resolutions of Mr. Nisbet, of the 19th inst. upon the subject of the Presidency, &c. were then taken up.

So much thereof as specifies the principles of Gen. Jackson's administration, which are approved by the State of Georgia, and the resolution nominating him as a candidate for re-election, were upon a point of order being made, excluded from consideration by the Senate.

The preamble and resolution relative to Mr. Calhoun, being under consideration,

The Senate on motion of Mr. Towns, inserted the word "unjustly" before the word hailed, in the following sentence:—"Recent events in this State, have been hailed in some of our sister States, as proof of the triumph of John C. Calhoun, and his principles over the President, his friends and his principles."

The following sentence, "The great body of the people of this State, have no feeling in common with the pretensions, or with many of the principles of Mr. Calhoun," having been read,



It was, on motion of Mr. Cleveland, amended, by adding after the words "principles of Mr. Calhoun," the words "especially those contained in his late address to the people of the United States upon the subject of Nullification."

The resolution in the following words,

*"Therefore be it resolved by both branches of the Legislature,* That they will in no event, favor the pretensions of Mr. Calhoun, either to the Presidency or the Vice Presidency of the United States, and that his Excellency the Governor be, and he is hereby respectfully requested, to furnish our Representatives in Congress with copies of these resolutions," having been read,

Mr. Daniell proposed to strike out the words "will in no event," and insert in lieu thereof the words "do not" which was agreed to.

On agreeing to the preamble and resolution as amended,

The yeas and nays were required to be recorded, on the motion of Mr. Nisbet.

The Yeas are 65—Nays 00.

Those in the affirmative are, messrs.

Allen	Everett	Sheffield
Anderson	Faris	Singleton
Avery	Fullwood	Smith
Bailey	Graham	Spann
Baker	Groves	Stapleton
Black	Hall	Stewart
Blackstone	Harlow	St. George
Bowen	Henly	Surrency
Branham	Hines	Swain
Brown of Monroe	Holloway	Thomas of Appling
Bryan	McAllister	Thomas of Lee
Burch	McDougald	Temples
Cargille	McRae	Tennille
Clayton	Mercer	Towns
Cleveland	Miller	Waldhauer
Cone	Mitchell	Ware
Daniell	Mobley	White
Devereux	Muncrief	William
Dunagan	Nisbet	Woffora
Echols of Coweta	Parrish	Wood
Echols of Walton	Prior	Wooten
Ector	Ray	

So they were agreed to.

The Senate then adjourned until to-morrow morning 10 o'clock.

FRIDAY, 25th November, 1831.

On motion of Mr. Daniell, it was

*Resolved*, That the Journal of yesterday, respecting the resolution recommending General Jackson for re-election to the Presidency, be amended in order that the resolution shall be declared to have passed *unanimously*.

Agreeably to notice, Mr. Baber moved for the appointment of a committee to prepare and report a bill to define the tenure of office of the Secretary of State, Treasurer, Surveyor General, and Comptroller General.

Ordered, That messrs. Baber, Mitchell, and Harlow, be that committee.

Mr. Graham notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to compel the Justices of the Peace of the 7th district of the county of Deely, to preside together in holding their courts in said district.

On motion of Mr. Wood,

*Resolved*, That a committee be appointed to revise or add to, the rules for the government of this Senate, and establish some fixed rule to regulate the practice respecting re-considering bills.

Ordered, That messrs. Wood, Henty and Branham, be that committee.

Mr. Baber from the committee appointed, reported a bill to authorize the Inferior court of Bibb county, to grant an order of contract to John Bailey, to erect a Toll Gate at the Tobasofka Bridge, and to charge and receive toll with certain conditions and provisions.

Which was read the first time.

Mr. Bailey from the committee appointed, reported a bill to incorporate the town of Franklin, in the county of Trömp, and to authorize the trustees of the Franklin Academy to erect their academy building on lot No. 283, in the 5th district of said county.

Which was read the first time.

On motion of Mr. Wells,

*Resolved*, That his Excellency the Governor be, and he is here by requested to send with the laws and Journals of the present session, six copies of Prince's Digest, and six copies of the Georgia Justice to the county of Telfair, for the use and benefit of the Justices of the Inferior court and Justices of the Peace, of said county.

Mr. Nisbet had leave to report instantler, a bill to sell fraction, No. 402, in the 4th district of formerly Baldwin, now Morgan county.

Which was read the first time.

The Senate took up the report of the committee of the whole on the bill to repeal so much of an act, passed on the 22d Dec. 1828, for the better distribution and application of the Poor School Fund, and to point out the mode of accounting for the disbursement of the Acadmic Funds, as relates to the bond required to be given by the Trustee.

The report was agreed to, and the bill read the third time and passed.

A message was received from the House of Representatives by Mr. Iverson, their Clerk, *pro tem.* informing the Senate that the House of Representatives had passed

A bill to alter and change the name of Thomas Kettle to the name of Thomas Young, to sanction the use heretofore by the said Thomas Kettle of the name of Thomas Ycung, in contracts made by and with him, and for other purposes.

Mr. Ware presented the petition of a part of the citizens of Coweta county, praying to be annexed to the county of Heard.

Which was read and referred to a select committee, consisting of messrs. Ware, Echols of Coweta, and Henly.

The Senate resolved itself in a committee of the whole, Mr. Daniell in the Chair, on the bill to incorporate a Banking Company in the town of Hawkinsville, and having spent sometime therein, the President resumed the Chair, and the bill was reported with amendment.

Ordered, That the report lie upon the table for the present.

The Senate resolved itself into a committee of the whole, Mr. Dunagan in the Chair, on the bill to authorize Joseph Collins, Jr. of Tattnall county, to construct a mill-dam across the Ohoopie river upon his own land. And having spent sometime therein, the President resumed the Chair, and the bill was reported without amendment.

The Senate took up and agreed to the report, and the bill was read the third time and passed.

The following communication was received from the Governor by Mr. Cuthbert, his Secretary :

EXECUTIVE DEPARTMENT, GEO. }  
Milledgeville, 25th Nov. 1831. }

To the Senate and  
House of Representatives :

I submit to the General Assembly for its consideration, copies of two communications received yesterday, purporting to be signed

by Henry Baldwin, Esq. one of the Justices of the Supreme Court of the United States, and to be citations to the State of Georgia, to appear in the Supreme Court on the second Monday in January next, to shew cause before that tribunal, why two several judgments should not be set aside, which have been lately rendered in the Superior court of the county of Gwinnett, against Samuel A. Worcester and Elizur Butler, for a violation of an existing law of the State, committed within its jurisdictional limits:—also a copy of a notice purporting to be signed by William Wirt and John Sergeant, as counsel for Samuel A. Worcester and Elizur Butler, informing me of an intended application to the Supreme court, for a hearing on writs of error, filed by these persons.

The obvious object of the proceedings to which this notice and these citations relate, is to call in question, and attempt to overthrow that essential jurisdiction of the State, in criminal cases, which has been vested by our constitution, in the Superior courts of the several counties of the State.

My respect for the Supreme court of the United States, as a fundamental department of the Federal Government, induces me to indulge the earnest hope, that no mandate will ever proceed from that court, attempting or intending to controul one of the Sovereign States of this Union, in the free exercise of its constitutional, criminal or civil jurisdiction. “The powers not delegated by the Constitution to the United States, nor prohibited by it to the States, are reserved to the States respectively.” Such a controul over our criminal jurisdiction, as these proceedings indicate, it is believed, has not been delegated to the United States, and consequently cannot be acquiesced in, or submitted to.

Any attempt to infringe the evident right of a State to govern the entire population within its territorial limits, and to punish all offences committed against its laws within those limits [due regard being had to the cases expressly excepted by the constitution of the United States] would be the usurpation of a power never granted by the States. Such an attempt, whenever made, will challenge the most determined resistance, and if persevered in, will inevitably eventuate in the annihilation of our beloved Union.

In exercising the duties of that Department of the Government, which devolves on me, I will disregard all unconstitutional requisitions, of whatever character or origin they may be; and to the best of my abilities, will protect and defend the rights of the State, and use the means afforded to me, to maintain its laws and constitution.

**WILSON LUMPKIN.**

Which having been read was referred, with the accompanying documents, to the joint Judiciary committee.

The Senate adjourned until to-morrow, 10 o'clock.

SATURDAY, 26th Nov. 1831.

Agreeably to notice, Mr. Graham moved for the appointment of a committee to prepare and report a bill to compel the Justices of the Peace of the 7th district of the county of Dooley, to preside together in holding their courts in said district.

Ordered, That messrs Graham, Spann and Cleveland, be that committee.

On motion,

The Honorable Senator from the county of Randolph, had leave of absence for a few days.

On motion,

Mr. Singleton had leave to withdraw the report and resolution on the petition of Henry Anglin, and substitute instead thereof,

A bill to allow Henry Anglin of Jackson county, two additional draws in the contemplated land lottery.

Which was read the first time

Mr. Nisbet laid upon the table, the following resolutions:

*Resolved by the Senate and House of Representatives of the State of Georgia in General Assembly met,* That the sum of ——— thousand dollars be, and the same is hereby appropriated, to be paid to any person or persons who shall arrest and bring to trial, under the laws of this State, the Editor or Publisher of a certain paper called the Liberator, published in the town of Boston, and State of Massachusetts; or who shall arrest and bring to trial, under the laws of this State, any other person or persons who shall utter, publish or circulate within the limits of this State, said paper, called the Liberator, or any other paper, circular, pamphlet, letter, or address of a seditious character; and that his Excellency the Governor, is hereby authorized and requested to issue his warrant upon the Treasury, for said sum of ——— thousand dollars in favor of any person or persons who shall have arrested and brought to trial under the laws of this State, the editor or publisher of the Liberator, or who shall have arrested and brought to trial, under the laws of this State, any other person or persons who shall utter, publish or circulate within the limits of this State, said paper called the Liberator, or any other paper, circular, pamphlet, letter or address of a seditious character; and that these resolutions be inserted in the appropriation act.

*And resolved further,* That his Excellency the Governor, cause the foregoing resolutions to be published in the public Journals of this State, and such other papers as he may think proper, and pay for the publication thereof, out of the contingent fund.

Mr. Singleton offered the following resolution:

*Resolved,* That the Senate will meet each day in future, at the hour of 9 o'clock in the morning.

And on the question being put, to agree thereto, the yeas and nays were required, and it was determined in the negative.

The yeas are 28—the nays are 38.

Those in the affirmative are, messrs.

Allen	Hall	Singleton]
Anderson	Henly	Surrency
Bowen	Holloway	Swain
Burch	Johnson	Temples
Clayton	McAllister	Ware
Cone	Mealing	White
Devereux	Mitchell	Williams
Echols of Coweta	Prior	Wofford
Graham	Sheffield	Wooten
Groves		

Those in the negative are, messrs.

Avery	Faris	Smith
Bailey	Fullwood	Spann
Baker	Harlow	Stapleton
Black	Hines	Stewart
Blackstone	Loyall	St. George
Branham	McDougald	Thomas of Appling
Brown of Monroe	McRae	Thomas of Lee
Bryan	Mercer	Tennille
Cleveland	Miller	Towns
Daniell	Mobley	Waldhauer
Dunagan	Muncrief	Wells
Echols of Walton	Nisbet	Wood
Ector	Parrish	

Mr. Swain from the committee on Petitions, to whom was referred the petition of A. Harnage, reported, that they have had the same under consideration, and are of opinion that the prayer of the petitioner is unreasonable and ought not to be granted.

Mr. Swain from the same committee to whom was referred the petition of sundry citizens of Walton county, praying the repeal of an act passed in 1825, regulating the licensing of Physicians, reported, that they have had the same under consideration, and are of opinion the prayer of the petitioners is unreasonable and ought not to be granted.

Ordered, That the reports lie upon the table till called up.

Mr. Mobley notified the Senate, that after to-day, he will move for the enactment of a correction to amend, and report a bill and county of Irwin.

On motion of Mr. Dunagan to take up the report of the commit-

tee of the whole on the bill to repeal the 15th section of an act to authorize the survey and disposition of lands within the limits of Georgia, in the occupancy of the Cherokee tribe of Indians, &c. passed the 21st day of December, 1830.

The yeas and nays were required, and it was determined in the negative.

The yeas are 33—the nays are 34.

Those in the affirmative are, messrs.

Anderson	Faris	Smith
Bailey	Fullwood	Swain
Black	Graham	Thomas of Lee
Boxen	Henly	Temples
Brown of Monroe	Holloway	Tennille
Clayton	Johnson	Towns
Cleveland	Miller	Ware
Dunagan	Mobley	White
Echols of Coweta	Muncrief	Woffora
Echols of Walton	Prior	Wood
Ector	Singleton	Wooten

Those in the negative are, messrs.

Allen	Hall	Parrish
Avery	Harlow	Sheffield
Baber	Hines	Spann
Baker	Loyall	Stapleton
Blackstone	McAllister	Stewart
Branham	McDougald	St. George
Bryan	McRae	Surrency
Burch	Mealing	Thomas of Appling
Coxe	Mercer	Waldhauer
Daniell	Mitchell	Wells
Devereux	Nisbet	Williams
Groves		

The report of the committee of the whole, on the bill to incorporate a Banking Company in town of Hawkinsville,

Was ordered to lie upon the table until Wednesday next.

The Senate resolved itself into a committee of the whole, Mr. Echols of Walton, in the Chair, on the bill to authorize Burwell T. Pope and John Berry to plead and practice Law in the several courts of Law and Equity in this State; and having spent some time therein, the President resumed the Chair, and the bill was reported with amendment.

The Senate took up the report, & on motion to lay the same on the table the remainder of the session, the yeas and nays were required and it was determined in the affirmative.

The yeas are 38—the nays are 29.

Those in the affirmative are, messrs.

Anderson	Harlow	Spann
Bailey	Henley	Stewart
Blackstone	Hines	St. George
Bowen	McDougald	Surrency
Burch	McRae	Swain
Clayton	Mercer	Temples
Cone	Miller	Waldhauer
Dunagan	Mobley	Ware
Echols of Walton	Parrish	Wells
Faris	Prior	White
Fullwood	Sheffield	Williams
Groves	Singleton	Wood
Hall	Smith	

Those in the negative are, messrs.

Allen	Daniell	Muncrief
Avery	Devereux	Nisbet
Baber	Echols of Coweta	Stapleton
Baker	Ector	Thomas of Appling
Black	Graham	Thomas of Lee
Branham	Holloway	Tennille
Brown of Monroe	Johnson	Towns
Bryan	McAllister	Wofford
Cleveland	Mealing	Wooten
Coxe	Mitchell	

A message was received from the House of Representatives by Mr. Iverson, Clerk, *pro tem.* thereof, informing the Senate that leave of absence until Monday evening next, having been granted to the Speaker of the House, Irby Hudson, a member from the county of Putnam, had been elected Speaker, *pro tempore.*

The Senate resolved itself into a committee of the whole, Mr. Ector in the Chair, on the bill to give to younger judgment creditors a preference to moneys raised on the sale of defendant's property in certain cases therein specified, and having spent some time therein, the President resumed the Chair, and the bill was reported with amendment.

The Senate took up and agreed to the report; the bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, Mr. Faris in the Chair, on the bill to reduce the pay of the members of the General Assembly, &c. and having spent some time therein, the President resumed the Chair, and the bill was reported with amendment.

Ordered, That the report lie upon the table until the appropriation bill for the present political year shall come up before the



The Senate resolved itself into a committee of the whole, Mr. Groves in the Chair, on the bill to add a part of the county of Warren to the county of Taliaferro, and having spent sometime therein, the President resumed the Chair, and Mr. Groves reported disagreement to the bill.

The Senate took up the report, and on motion to agree thereto, the yeas and nays were required; and it was determined in the affirmative.

The yeas are 54—the nays are 10.

Those in the affirmative are, messrs.

Allen	Ecter	Prior
Anderson	Faris	Sheffield
Avery	Fullwood	Singleton
Baker	Graham	Smith
Black	Hall	Spann
Blackstone	Harlow	Stapleton
Bowen	Hines	St. George
Branham	Holloway	Surrency
Brown of Monroe	Johnson	Swain
Bryan	McAllister	Thomas of Lee
Cleveland	McDougald	Tennille
Cone	McRae	Waldhauer
Coxe	Mealing	Wells
Daniell	Miller	White
Devereux	Mitchell	Williams
Dunagan	Muncrief	Wofford
Echols of Coweta	Nisbet	Wood
Echols of Walton	Parrish	Wooten

Those in the negative are, messrs.

Baber	Loyall	Thomas of Appling
Burch	Mercer	Temples
Groves	Stewart	Ware
Henly		

The Senate resolved itself into a committee of the whole, Mr. Harlow in the Chair, on the bill to incorporate "the North American Gold Mining Company in Georgia," and having spent some time therein, the President resumed the Chair, and the bill was reported with amendment, by way of substitute.

The Senate took up the report, and on motion to lay the same on the table for the present, the yeas and nays were required, and it was determined in the negative.

The yeas are 27—the nays are 30.

Those in the affirmative are, messrs.

Allen	Baker	Bryan
Avery	Branham	Daniell
Baber	Brown of Monroe	Fullwood

<b>Halt</b>	<b>Mercer</b>	<b>St. George</b>
<b>Harlow</b>	<b>Mitchell</b>	<b>Thomas of Appling</b>
<b>Hines</b>	<b>Nisbet</b>	<b>Temples</b>
<b>Loyall</b>	<b>Sheffield</b>	<b>Tennille</b>
<b>McAllister</b>	<b>Singleton</b>	<b>White</b>
<b>McDougald</b>	<b>Stewart</b>	<b>Wofford</b>

Those in the negative are, messrs.

<b>Anderson</b>	<b>Groves</b>	<b>Spann</b>
<b>Bailey</b>	<b>Henly</b>	<b>Stapleton</b>
<b>Black</b>	<b>Holloway</b>	<b>Surrency</b>
<b>Blackstone</b>	<b>Johnson</b>	<b>Swain</b>
<b>Bowen</b>	<b>McRae</b>	<b>Waldhauer</b>
<b>Dunagan</b>	<b>Mealing</b>	<b>Ware</b>
<b>Echols of Coweta</b>	<b>Miller</b>	<b>Wells</b>
<b>Echols of Walton</b>	<b>Muncrief</b>	<b>Williams</b>
<b>Faris</b>	<b>Parrish</b>	<b>Wood</b>
<b>Graham</b>	<b>Prior</b>	<b>Wootten</b>

On motion of Mr. McDougald, that the Senate do adjourn,  
The yeas and nays were, on motion of Mr. Wood, required to be  
recorded, and are  
Yeas 31—Nays 28.

Those in the affirmative are, messrs.

<b>Allen</b>	<b>Hines</b>	<b>Parrish</b>
<b>Avery</b>	<b>Holloway</b>	<b>Sheffield</b>
<b>Baber</b>	<b>Loyall</b>	<b>Singleton</b>
<b>Baker</b>	<b>McAllister</b>	<b>Stewart</b>
<b>Branham</b>	<b>McDougald</b>	<b>St. George</b>
<b>Brown of Monroe</b>	<b>McRae</b>	<b>Thomas of Appling</b>
<b>Bryan</b>	<b>Mercer</b>	<b>Temples</b>
<b>Daniell</b>	<b>Mitchell</b>	<b>Tennille</b>
<b>Fullwood</b>	<b>Muncrief</b>	<b>White</b>
<b>Hall</b>	<b>Nisbet</b>	<b>Wofford</b>
<b>Harlow</b>		

Those in the negative are, messrs.

<b>Anderson</b>	<b>Graham</b>	<b>Stapleton</b>
<b>Bailey</b>	<b>Groves</b>	<b>Surrency</b>
<b>Black</b>	<b>Henly</b>	<b>Swain</b>
<b>Blackstone</b>	<b>Johnson</b>	<b>Waldhauer</b>
<b>Bowen</b>	<b>Mealing</b>	<b>Ware</b>
<b>Cone</b>	<b>Miller</b>	<b>Wells</b>
<b>Dunagan</b>	<b>Prior</b>	<b>Williams</b>
<b>Echols of Coweta</b>	<b>Smith</b>	<b>Wood</b>
<b>Echols of Walton</b>	<b>Spann</b>	<b>Wooten</b>
<b>Faris</b>		

So the motion prevailed—whereupon,  
The Senate adjourned until Monday morning, 10 o'clock.

MONDAY, 21st November, 1831.

On motion of Mr Mealing, to reconsider so much of the Journal of Saturday last, as relates to the rejection of the bill to authorize Burwell P. Pope and John Berry to plead and practice law in the several courts of Law and Equity in this State.

It was determined in the negative.

On motion of Mr. Mereer, to re-consider so much of the Journal of Saturday last, as relates to the disagreement of the Senate to the bill adding a part of the county of Warren to the county of Taliaferro.

It was also, determined in the negative.

The Senate took up the report on the bill to establish the North American Gold Mining Company in Georgia, by sections.

The first section of the substitute having been read in the following words :

*“Be it enacted, &c.* That Richard J. Arnold, Matthew Hall McAllister, Wm. W. Gordon and Thomas G. Casey, and all such other persons as now are, or may hereafter become stockholders of the said company, shall be and they are hereby created a body politic and corporate, under the name of the Georgia Mining Company, and shall so continue until the first day of January, one thousand eight hundred and fifty-seven, for the purpose of holding and working said several mines of gold and such other ores or metals, as may be found in the course of its operation, and of purchasing, holding, owning and working such other mines, situate and being within the settled limits of this State, as said company may deem fit and proper; provided, nevertheless, said company shall not purchase, hold, own or possess, either by fee simple, title or lease, exceeding five hundred acres of land in addition to what has already been enumerated in the preamble to this act; and by the name of the Georgia Mining Company, they and their successors and assigns, may have succession, and shall be in law, capable of suing and being sued, defending and being defended, answering and being answered in all courts and judicatures, whatsoever and wheresoever, also, of contracting and being contracted with relative to the business and purposes for which said incorporation is hereby created, as herein and hereafter described; and they and their successors may have a common seal, and may change and alter the same at pleasure; and also, they and their successors by the same name and style, shall be in law capable of purchasing and conveying personal property for the use and benefit of said corporation—it being understood, the said company are prohibited from purchasing and holding any real estate other than that to which title has been

already secured, as recited in the preamble of this act by the persons therein enumerated, and their associates, save and except the five hundred acres of land before provided for, in the preceeding part of the first section of this act, which the said company are hereby authorized to purchase—and the said company shall have power to make and publish such bye-laws, rules and regulations, not inconsistent with the constitution and laws of this State or of the United States, as shall from time to time seem necessary and convenient for the good government and successful operations of the said corporation : and the said corporation shall have power to appoint such officers, agents and laborers, as they shall deem expedient, and the stock of this corporation shall consist of such sum or sums of money, as may be found necessary to carry into complete effect the entire object of this incorporation ; but not to exceed five hundred thousand dollars, to be divided into shares of one hundred dollars each, and subject to be called in in such sums, and at such times as the directors of said corporation or a majority of them shall deem proper : Provided, that all debts that may become due by said company to citizens of this State, who may be employed at any of the mines aforesaid, shall have a lien upon the corporate property, and shall be preferred to the debts of the foreign creditors ; provided, nevertheless, that nothing herein contained, shall be so construed as to give to any one citizen of the State of Georgia, a preference over another, other than that given by the general laws of the State : And, provided further, that the private and individual property of each and every stockholder and director of said company shall be held and considered in law, as liable for the debts of said company or any of them as in cases of copartnership.”

Mr. Branham offered the following proviso to precede immediately the last one of the foregoing section :

*Provided, further,* That no member of the Legislature shall be interested directly or indirectly, as owner or part owner of the stock of said company, and that the property belonging to said corporation, shall be subject to taxation, which tax shall be returned and collected according to the laws of force in this state, regulating taxes.

On motion of Mr. Singleton, to strike out so much of the proposed proviso, as prohibits members of the Legislature from being interested directly or indirectly, as owners of stock in said company.

The yeas and nays were, on motion of Mr. Banham, required to be recorded.

The yeas are 34—the nays 30.

Those in the affirmative are, messrs.

Avery	Echols of Walton	Singleton
Baker	Faris	Smith
Black	Graham	Spann
Blackstone	Hines	Stewart
Brown of Monroe	Johnson	Thomas of Appling
Bryan	McAllister	Tennille
Burch	McRae	Towns
Clayton	Mealing	Waldbauer
Cleveland	Mercer	Ware
Coxe	Mobley	Wells
Dunagan	Parrish	Wofford
Echols of Coweta		

Those in the negative are, messrs.

Allen	Fullwood	Prior
Anderson	Groves	Sheffield
Baber	Hall	Surrency
Bailey	Harlow	Swain
Bowen	Henly	Thomas of Lee
Boykin	Holloway	Temples
Branham	Miller	White
Cone	Mitchell	Williams
Daniell	Muncrief	Wood
Devereux	Nisbet	Wooten

So it was determined to strike out.

The remainder of said proviso was, on motion, stricken out.

Mr. Branham then proposed the following proviso :

*Provided further,* That it shall be the duty of the officers of said corporation, to keep a record of their debts, and also, a record of of their proceedings, and also, a schedule upon record of all debts due the corporation; also, a constant and full exhibit upon record of the property, owned by said corporation, which record shall be kept at the office of the company in this State, and shall be subject to inspection at all times upon application to the President or any one of the directors or officers of the corporation, by any creditor of the company.

Which was amended by the following proviso, offered by Mr. Harlow :

*Provided,* That the company shall at no time contract debts to a larger amount than that of the capital stock actually paid in.

*And it is agreed to.*

Mr. Branham, then offered the additional proviso—

“That the aforesaid company shall not issue bills or have, hold and enjoy any banking rights or privileges whatever.

*Which was agreed to.*

Mr. Nisbet offered the following as an amendment to the last proviso of the 1st section of the report :

*Provided*, That the liability of each stockholder personally, shall not extend to a greater amount than the stock by him paid in.

On agreeing thereto,

The yeas and nays were required to be recorded and are yeas 26—nays 39.

Those in the affirmative are, messrs.

Avery	Coxe	Sheffield
Baber	Coxe	Singleton
Baker	Daniell	Stewart
Boykin	Hines	Thomas of Appling
Branham	Holloway	Tennille
Brown of Monroe	McAllister	Townes
Burch	Mealing	White
Clayton	Mitchell	Wofford
Cleveland	Nisbet	

Those in the negative are, messrs.

Allen	Graham	Prior
Anderson	Groves	Smith
Bailey	Hall	Spann
Black	Harlow	Surrency
Blackstone	Henly	Swain
Bowen	Johnson	Thomas of Lee
Bryan	Loyall	Temples
Deveraux	McRae	Waldbauer
Dunagan	Mercer	Ware
Echols of Coweta	Miller	Wells
Echols of Walton	Mobley	Williams
Faris	Muncrief	Wood
Fullwood	Parrish	Wooten

So it was determined in the negative.

Mr. Daniell moved to strike out the proviso in the following words :

*And provided, further*, That the private and individual property of each and every stockholder and director of said company, shall be held and considered in law as liable for the debts of said company or any of them, as in cases of partnership.

On striking out,

The yeas and nays were required to be recorded, and are yeas 25—nays 49.

Those in the affirmative are, messrs.

Avery	Cone	Singleton
Baber	Coxe	Smith
Baker	Daniell	Stewart
Boykin	Hines	Thomas of Appling
Branham	McAllister	Tennille
Brown of Monroe	Mealing	Towns
Burch	Mitchell	White
Clayton	Nisbet	Wofford
Cleveland	Sheffield	

Those in the negative are, messrs.

Allen	Graham	Parrish
Anderson	Groves	Prior
Bailey	Hall	Spann
Black	Harlow	Surrency
Blackstone	Henly	Swain
Bowen	Holloway	Thomas of Lee
Bryan	Johnson	Tetples
Devereux	Loyall	Waldhauer
Dunagan	McRae	Ware
Echols of Coweta	Mercer	Wells
Echols of Walton	Miller	Williams
Faris	Mobley	Wood
Fullwood	Muncrief	Wooten

So the motion was refused.

On motion of Mr. Wood,

The report was ordered to lie on the table the remainder of the session.

A communication was received from the Governor by his Secretary, Mr. Cuthbert.

Which was not taken up.

The Senate then adjourned until to-morrow morning, 9 o'clock.

TUESDAY, 29th November, 1831.

On motion of Mr. Brown of Monroe,

To reconsider so much of the Journal of yesterday, relative to the order of the Senate, laying the report of the committee of the whole, on the bill to incorporate the North American Gold mining Company in Georgia, on the table for the remainder of the session, it was determined in the negative.

Agreeably to notice, Mr. Mobley moved for the appointment of a committee to prepare and report a bill authorising the loaning out at interest, the Poor School fund of the county of Irwin.

Ordered, That messrs. Mobley, Cleveland and Spann, be that committee.

The communication received yesterday from the Governor, was taken up, read and referred to the military committee, and is as follows :

EXECUTIVE DEPARTMENT,       }  
*Milledgeville, Nov. 28th, 1831.* }

*To the Senate, and  
House of Representatives :*

The insecure condition of the Arsenal at this place, having attracted my notice, I feel it my duty to invite the immediate attention of the Legislature to the subject.

The arms and amunition in the Arsenal should not only be safely preserved in good order for any emergency which may occur, but the circumstances in which we are placed, as a community imperiously demand the utmost certainty that these munitions of War, should never be used for the distraction of those for whose defence they were provided.

The windows of the Arsenal are closed by slight shutters, which might be demolished in a few minutes, they ought to have iron defences, either bars or sheets, strongly fixed.

The door at the North end is no stronger than the window shutters ; the doors at the South side are somewhat stronger, but should be strengthened with iron and secured by strong bars within, in addition to the lock and small bolts.

The windows of the upper stories are weaker than those of the lower, they could be easily assailed and entered by means of ladders.



The whole should be so strong that an assault would not be able to force it, without much noise and delay, affording an opportunity of gathering such force as could be assembled for its defence.

At night it should be under the care of vigilant centinels, regularly relieved. These suggestions are deemed sufficient to recommend this subject to that share of Legislative consideration, which its importance demands.

WILSON LUMPKIN.

Mr. Henly from the special committee, to whom was referred the petition of some of the citizens of Coweta, praying to be annexed to the county of Heard, returned said petition to the Senate, and

On motion,

The same was referred to the joint committee on Petitions.

Mr. Baber from the committee appointed, reported a bill to prescribe and limit the tenure of office of the Secretary of State, Treasurer, Comptroller General and Surveyor General; and

Mr. Baber had leave to introduce *instanter*, a bill to change the time of holding the Superior courts in the Flint circuit.

Which were severally read the first time.

Mr. Brown of Monroe, had leave to report *instanter*, a bill to continue a mill-dam across a part of the Ocmulgee river.

Which was read the first time.

Mr. Echols of Coweta, from the committee appointed, reported a bill to alter and amend the 3d, 7th and 12th sections of the 1st article, and the 1st and 3d sections of the 3d article of the Constitution of this State.

Which was read the first time.

On motion,

The hon. Senator from the county of Harris, had leave of absence for a few days; and the hon. Senator from the county of Upson, after Friday next, for a few days also.

On motion of Mr. Boykin,

*Resolved*, That the committee on Finance, be instructed to report to this branch of the Legislature, as soon as practicable, the probable disbursements of the present political year, together with the probable permanent ways and means of the State to meet said disbursements.

Mr. Wood, from the committee appointed to revise and add to the rules for the government of the Senate, made a report, which was taken up, amended and agreed to, and is as follows:

#### RULES OF SENATE.

1st. The President having taken the Chair, and a *quorum* being present, the Journal of the preceeding day shall be read, when it

shall be in the power of any member, to move for a reconsideration of any matter therein contained, except such matter as has been before re-considered. But in cases where the life of an individual is concerned, there may not be more than two reconsiderations.

2d. No member shall speak to another, or otherwise interrupt the business of Senate, or read any printed paper, while the Journal of public papers is reading, or when any member is speaking in debate.

3d. When any member is about to speak or deliver any matter to Senate, he shall rise from his seat and address himself to the Chair, he shall confine himself to the question under consideration, and at all times avoid personality.

4th. No member shall speak more than twice in any one debate on the same day, without leave of Senate.

5th. When two members rise at the same time to speak, the first that rises shall be first in order, which shall be determined by the President.

6th. No motion shall be put or debated, until the same be seconded.

7th. When a motion is made and seconded, it shall be reduced to writing when required by the President or any member, delivered in at the table and read; before the same shall be debated.

8th. While a question is before Senate, no motion shall be received but to adjourn—to lie on the table—to postpone indefinitely—to postpone to a day certain,—to commit or to amend; which several motions shall have precedence in the order they stand here arranged. The motion for adjournment shall always be in order, and decided without debate, but the motion for adjournment a second time shall be out of order, until the question before Senate is first disposed of.

9th. The previous question being moved and seconded, the question from the Chair shall be, *Shall the main question be now put?*—and if the yeas prevail, the main question shall not then be put.

10th. If a question in debate contains several points any member may have the same divided.

11th. When the yeas and nays are called for by two members, each member called upon shall (unless excused,) declare openly and aloud his yea or nay to the question, and upon the call of the House, the members shall be taken by their names in alphabetical order, and no member shall be allowed to change his vote after the same has been pronounced by the Chair

12th. Any member intending to ask leave to bring in, or move for a committee to be appointed to report a bill, shall give at least one days notice of such intention, and the title of such bill.

13th. No bill shall be committed until it shall have been twice read, after which it may be referred to a committee.

14th. When a member is called to order, he shall take his seat until the President shall have determined whether he is in order or not. Every question of order shall be decided by the President without debate; but if there is a doubt in his mind, he shall call for the sense of the Senate.

15th. If a member be called to order for words spoken, the exceptionable words shall be immediately taken down in writing, that the President may be better enabled to judge of the matter.

16th. When a blank is to be filled, and different sums and different days are proposed, the question shall be taken on the highest sum and most distant day first.

17th. All petitions shall be numbered as they are received; and taken up and decided on in the same order as they were received.

18th. No member shall absent himself from the service of Senate without leave first obtained, and in case a less number than a quorum of Senate shall convene, they are hereby authorised to send any person or persons by them authorised, for any or all absent members, as the majority of such members present shall agree, at the expense of such absent member respectively, unless such excuse for non-attendance shall be made, as the Senate, when a quorum is convened, shall judge sufficient.

19th. No member shall leave his seat after adjournment, until the President shall have left the room.

20th. Immediately after the reading of the Journal every morning, all notices shall be taken up, read and committees appointed thereon.

21st. There shall be four standing committees of Senate appointed at the commencement of each session,—1st. Committee on *Privileges and Elections*—2d. On *Petitions*; 3d. On *Enrolment*, and 4th. to *Examine the Journals of Senate*; which committees are not to consist of more than five members each. And it shall be the duty of the committee on Privileges and Elections to examine and report upon the certificates of elections, or other credentials of the members returned to serve; and take into their consideration, all such Petitions and other matters touching elections and returns, as shall or may be presented or come in question and referred to them by Senate.

22d. When any communication is received from the Governor, it shall be in order to take it up as soon as the matter then under consideration is disposed of.

23d. The unfinished business in which the Senate was engaged in the last preceeding adjournment, shall have the preference in the order of the day, after the appointment of committees on notices, and reports of committees, and no motion or any other business shall be received until the former is disposed of.

24th. No standing rule of Senate shall be altered without one days notice being given, expressing the intended alteration—no shall any rule of Senate be dispensed with, except by a vote of two thirds of the members present.

The order of the day shall be as follows :

1. Appointment of committees on notices.
2. Reports of committees.
3. Unfinished business at the last adjournment.
4. Reconsidered bills.
5. Reports of committees of the whole.
6. Bills for a third reading.
7. Bills for a second reading.
8. Bills of Senate for committee in the order they stand numbered.
9. Messages in their order from the House of Representatives.

On motion,

It was ordered, that the committee have the above and foregoing rules neatly printed, and placed in the Senate Chamber for the use of the members ; the Secretary was directed to have the same attached to the printed Journals of the Senate of this session.

The following message was received from the House of Representatives, by Mr. Dawson, their Clerk :

The House of Representatives have passed the following bills, to wit :

A bill to separate and divorce Fanny Thompson and Richard G. Thompson, her husband.

A bill to pardon Isaiah Gaines of Hall county.

A bill to authorise the Clerks, Sheriffs, and other officers of the county of DeKalb, to insert their advertisements in one of the public Gazettes at Milledgeville.

A bill to separate and divorce Maria Augustin and John T. Augustin ; and

A bill to provide for the recovery of costs in justices courts in certain cases.

Mr. Wood proposed the following resolution ; which was disagreed to:

*Resolved*, That in future, no leave of absence shall be granted to any member of Senate, unless on some special shewing

Mr. Towns presented a petition from David Shelton, administrator of Thomas Dyer, dec'd. relative to fractions purchased by said Dyer; which was read and referred to a select committee, consisting of Messrs. Towns, Boykin and Tennille.

Mr. Wofford presented a petition from Holloman Battle, a Revolutionary Soldier, asking for a chance to draw in the next contemplated land lottery, which was referred to the committee on Petitions.

The Senate took up so much of the message of the House of Representatives of the 25th inst. relative to the report and resolutions on the memorial of Dr. Alexander Jones; which having been read, was ordered to lie upon the table for the present; when

On motion of Mr. Baber,

*It was resolved*, That his Excellency the Governor be, and he is hereby requested to furnish for the use of the Senate, all the information in the Executive Department, relative to an application made to the British Government by the Government of Georgia, and the Government of the United States, for such Documents as relates to the early Colonial History of Georgia.

The Senate also took up so much of the message of the House of Representatives received this day as relates to the bill to pardon Isaiah Gaines of Hall county.

Which was read the first time.

The Senate took up and agreed to the report of the committee of the whole, on the bill to repeal the 15th section of an act to authorise the survey and disposition of land within the limits of Georgia in the occupancy of the Cherokee tribe of Indians, &c. passed the 21st day of Dec. 1830.

The bill was then read the third time, and on the question being put, Shall this bill now pass; the yeas and nays being required, it was determined in the affirmative.

The yeas are 47—nays 20.

Those in the affirmative are, messrs.

Allen	Boykin	Daniell
Anderson	Branham	Dean
Avery	Brown of Camden	Devereux
Bailey	Brown of Monroe	Dunagan
Baker	Burch	Echols of Coweta
Black	Clayton	Echols of Walton
Blackstone	Cleveland	Faris
Bowen	Coxe	Graham

Henly	Nisbet	Towns
Holloway	Parrish	Ware
Johnson	Prior	White
Loyall	Singleton	Wofford
McAllister	Smith	Wood
Miller	Swain	Woolfolk
Mitchell	Thomas of Lee	Wooten
Mobley	Tennille	

Those in the negative are, messrs.

Baber	McRae	Surrency
Bryan	Mealing	Thomas of Appling
Cone	Merccr	Temples
Fullwood	Muncrief	Waldhauer
Groves	Sheffield	Wells
Hall	Spann	Williams
Harlow	Stewart	

The bill to exempt the Trustees of the Presbyterian Church in the town of Columbus, from the payment of the balance due the Central Bank for a lot which they have purchased for religious purposes, was read the third time and passed.

The Senate resolved itself into a committee of the whole, Mr. Muncrief in the Chair, on the bill to incorporate the Stewart county Academy in the county of Stewart, and appoint Trustees for the same ; and having spent some time therein, the President resumed the Chair, and the bill was reported with amendment.

The Senate took up, and agreed to the report ; the bill was read the third time and passed.

On motion of mr. Burch,

To lay on the table for the remainder of the session, the bill to create and form a new Judicial circuit out of the Southern and Chattahooche circuits,

The yeas and nays were required by mr. Cleveland to be recorded;

The yeas are 33—the nays are 32.

Those in the affirmative are, messrs.

Anderson	Dunagan	Johnson
Black	Echols of Coweta	McRae
Blackstone	Echols of Walton	Mobley
Bowen	Fullwood	Parrish
Burch	Graham	Prior
Cleveland	Groves	Singleton
Cone	Hall	Smith
Dean	Henly	Spann

Stewart  
Swain  
Tennille

Towns  
Ware  
Wells

Wofford  
Wood  
Wooten

Those in the negative are, messrs.

Allen  
Avery  
Baber  
Bailey  
Baker  
Boykin  
Branham  
Brown of Camden  
Brown of Monroe  
Bryan  
Clayton

Coxe  
Daniell  
Devereux  
Harlow  
Holloway  
Loyall  
McAllister  
Mealing  
Mercer  
Miller  
Mitchell

Muncrief  
Nisbet  
Sheffield  
Thomas of Appling  
Thomas of Lee  
Temples  
Waldhauer  
White  
Williams  
Woolfolk

The President voted in the negative, and the motion was thereby refused.

Ordered, That the bill lie upon the table for the present.

The Senate resolved itself into a committee of the whole, Mr. Nisbet in the Chair, on the bill to vest in the Intendant and Commissioners of the town of Columbus and their successors, the control of the public lands in that vicinity; and having spent some time therein, the President resumed the Chair, and Mr. Nisbet reported progress, and asked leave to sit again.

The Senate took up and agreed to said report.

The Senate resolved itself into a committee of the whole, Mr. Singleton in the Chair, on the bill to authorise the Governor to issue a Grant to the Roman Catholic Church of St. Philip and St. James, for a lot in the town of Columbus, for religious purposes; and having spent some time therein, the President resumed the Chair, and the bill was reported without amendment.

The Senate took up and agreed to the report; the bill was read the third time and passed.

The Senate again resolved itself into a committee of the whole, Mr. Spann in the Chair, on the bill to alter and change the name of Tabitha Newborn to that of Tabitha Sweat, and legitimize the same; and also to alter and change the name of Elisha Jarrel to that of Elisha Wilkerson; and having spent some time therein, the President resumed the Chair, and the bill was reported with amendment *by way of substitute*.

The Senate took up the report; when

On motion of Mr. Harlow,

To Strike out so much thereof as relates to the several children therein named inheriting and receiving the property of their reputed fathers,

The yeas and nays were required by Mr. Branham, to be recorded thereon, and it was determined in the negative.

The Yeas are 25—Nays are 36.

Those in the affirmative are, messrs.

Allen	Faris	Muncrief
Baber	Harlow	Nisbet
Bailey	Holloway	Sheffield
Baker	Loyall	Singleton
Boykin	McAllister	Smith
Branham	Mealing	Thomas of Appling
Clayton	Mercer	Thomas of Lee
Coxe	Mitchell	Waldhauer
Daniell		

Those in the negative are, messrs.

Anderson	Echols of Walton	Stewart
Blackstone	Fullwood	Swain
Bowen	Graham	Temples
Brown of Camden	Groves	Tennille
Brown of Monroe	Hall	Towns
Bryan	Henly	Ware
Burch	Johnson	Wells
Cleveland	Miller	White
Cone	Mobley	Williams
Dean	Parrish	Wofford
Devereux	Prior	Wood
Dunagan	Spann	Wooten
Echols of Coweta		

So the Senate refused to strike out, and the report was then agreed to, and the bill read the third time and passed, under the title of

A bill to change the names of Martha Ann Chastain to that of Martha Ann Atkison; and the name of Sarah Ann Chastain to that of Sarah Atkison, and Shadrach Chastain to that of Shadrach Atkison, and Henry Chastain to that of Henry Atkison, and to allow them to inherit and receive property both real and personal by virtue of the statute of distributions of this State, and to legitimize and change the names of other persons therein named.

The Senate then adjourned until to-morrow morning 9 o'clock.



WEDNESDAY, 30th Nov. 1831.

On motion,

Leave of absence was granted to the Hon. Senator from the county of Wilkes, after 11 o'clock of this day, for a few days—also to the Hon. Senator from the county of Fayette, for a few days; and to the Hon. Senator from the county of Putnam, after Friday next, for a few days.

Mr. Wood notified the Senate, that after to-day he will move for the appointment of a committee to enquire whether the River Altamaha and its tributary streams, are not the rightful channel through which the products and commerce of Central Georgia ought to pass, together with such other matters as may be connected with the same, with leave to report by bill or otherwise.

Mr. Devereux notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to establish an election district in the town of Powelton, in Hancock county.

Mr. Wofford submitted the following preamble and resolution :

Whereas, at the sale of fractions by Benjamin F. Thompson, Sheriff of Habersham county, in May 1824, Davis Echols became the purchaser of fraction No. 39, in 12th district of Habersham, at two dollars, and also of fraction No. 72 in the same district, at six dollars; and the said Echols having transferred the certificates to Henry Smith on the 9th day of April, 1825.—And whereas, in July 1829, the said Henry Smith transmitted to the Treasurer, the sum of six dollars and fifty cents, to pay all arrearments then due on said fractions, and from the great crowd of business then in the office, the Treasurer failed to enter the necessary receipts for the same :

Now that justice may be done the said Smith,

*Be it resolved*, That the officers of the Central Bank be, and they are hereby instructed to receive the balance of the purchase money, on said fractions and receipt for the same.

Which being read, was agreed to ;

And the Secretary ordered to carry the same forthwith to the House of Representatives, for their concurrence.

Mr. Cone notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to reduce the fees on Head Right Grants.

The following communication was received from the Governor by Mr. Wellborn, his Secretary :

EXECUTIVE DEPARTMENT,  
Milledgeville, November 29th, 1831. }

To the Senate :

The resolution of the Senate has been presented to this Department, requesting the Governor to furnish that branch of the Gene-

ral Assembly, "all the information in the Executive Department relative to an application made to the British Government, by the Government of Georgia, and the Government of the United States, for such documents as relates to the early Colonial History of Georgia."

The only mode by which a prompt compliance with the request of the Senate can be effected, is to submit to that body, the various papers filed in this office, on the subject referred to.

I therefore forward the papers as I find them in this office, with a request, that they may be carefully preserved and returned to the files of this Department, after having been examined by the Senate.

WILSON LUMPKIN.

The Senate took up the report and resolutions from the House of Representatives on the memorial of Dr. Alexander Jones, laid upon the table yesterday ; when

Mr. Branham proposed in lieu thereof, the following substitute :

*Resolved*, That his Excellency the Governor be, and he is hereby requested to adopt such measures to procure a transcript of the Records now in the Board of Trade and other Colonial offices of London, which relate to our early Colonial History, as in his opinion will best ensure the accomplishment of this object, with the least possible expense.

And on the question to agree to said proposed substitute, the yeas and nays were required, and it was determined in the negative.

The yeas are 29—the nays are 38.

Those in the affirmative are, messrs.

Allen	Devereux	Miller
Avery	Harlow	Muncrief
Baber	Henley	Nisbet
Bailey	Hines	Parrish
Baker	Loyal	Sheffield
Boykin	McAllister	Thomas of Appling
Branham	McDougald	Waldhauer
Brown of Camden	McRae	Williams
Bryan	Mealing	Woolfolk
Daniell	Mercer	

Those in the negative are, messrs.

Anderson	Cargille	Fullwood
Black	Clayton	Graham
Blackstone	Deau	Groves
Bowen	Dunagan	Halt
Brown of Monroe	Echols of Coweta	Holloway
Cleveland	Echols of Walton	Johnson
Cone	Faris	Mitchell

Mobley	Surrency	Ware
Prior	Swain	Wells
Singleton	Thomas of Lee	White
Smith	Temples	Wofford
Spain	Tennille	Wood
Stewart	Towns	

Mr. Baber then moved to strike out so much of the resolution attached to the report, as directs \$1,500 to be appropriated to pay the expences of "*Dr. Alexander Jones*, and insert in lieu thereof, "*to defray the expences of an individual, who may be elected by joint ballot of both branches of the Legislature.*"

And on the question being put to strike out and insert accordingly, the yeas and nays were required and it was determined in the negative.

The yeas are 24—the nays are, 42.

Those in the affirmative are, messrs.

Allen	Hines	Muncrief
Baber	Holloway	Nisbet
Bailey	Loyall	Sheffield
Branham	McAllister	Thomas of Appling
Daniell	McDougald	Thomas of Lee
Devereux	Mealing	Waldbauer
Harlow	Mercer	Williams
Henly	Mitchell	Woolfolk

Those in the negative are, messrs.

Anderson	Echols of Coweta	Smith
Avery	Echols of Walton	Spann
Black	Faris	Stewart
Blackstone	Fullwood	Surrency
Bowen	Graham	Swain
Brown of Camden	Groves	Temples
Brown of Monroe	Hall	Tennille
Bryan	Johnson	Towns
Cargille	McRae	Ware
Clayton	Miller	Wells
Cleveland	Mobley	White
Cone	Parrish	Wofford
Dean	Prior	Wood
Dunagan	Singleton	

Mr. Daniell then moved the following as an additional *proviso*, to that part of the report, authorising all expences over and above \$1,500, to be allowed out of any money not otherwise appropriated, where the same shall appear to have been necessarily incurred and sanctioned by the committee on Finance.—"*Provided that any additional sums which may be required, shall not exceed twenty-five hundred dollars.*"

And on the question being put to agrée to said additional proviso, the yeas and nays were required and it was determined in the negative.

The yeas are 32—the nays are 35.

Those in the affirmative are, messrs.

Allen	Harlow	Mitchell
Avery	Henly	Muncrief
Baber	Hines	Nisbet
Bailey	Holloway	Sheffield
Baker	Loyall	Surrency
Boykin	McAllister	Thomas of Appling
Branham	McDougald	Thomas of Lee
Brown of Camden	McRae	Waldhauser
Bryan	Mealing	Williams
Daniell	Mercer	Woolfolk
Devereux	Miller	

Those in the negative are, messrs.

Anderson	Echols of Walton	Spann
Black	Faris	Stewart
Blackstone	Fullwood	Swain
Bowen	Graham	Temples
Brown of Monroe	Groves	Tennille
Cargille	Hall	Towns
Clayton	Johnson	Ware
Cleveland	Mobley	Wells
Cone	Parrish	White
Dean	Prior	Wofford
Dunagan	Singleton	Wood
Echols of Coweta	Smith	

The report and resolutions having been gone through,

On motion to concur with the House of Representatives in the same, the yeas and nays were required to be recorded.

The yeas are 36—the nays are 31.

Those in the affirmative are, messrs.

Anderson	Dunagan	Mobley
Black	Echols of Coweta	Parrish
Blackstone	Echols of Walton	Prior
Bowen	Faris	Singleton
Brown of Monroe	Fullwood	Smith
Cargille	Graham	Spann
Clayton	Groves	Stewart
Cleveland	Hall	Swain
Cone	Johnson	Temples
Dean	Mitchell	Tennille

Towns  
Ware

Wells  
White

Wofford  
Wood

Those in the negative arc, messrs.

Allen  
Avery  
Baber  
Bailey  
Baker  
Boykin  
Branham  
Brown of Camden  
Bryan  
Daniell  
Devercux

Harlow  
Henly  
Hines  
Holloway  
Loyall  
McAllister  
McDougald  
McRae  
Mealing  
Mercer

Miller  
Muncrief  
Nisbet  
Sheffield  
Surrency  
Thomas of Appling  
Thomas of Lee  
Waldhauer  
Williams  
Woolfolk

So the Senate concurred with the House of Representatives.

The following message was received from the House of Representatives, by Mr. Dawson, their Clerk.

The House of Representatives have passed the following bills, to wit :

A bill to authorise the Intendant and Commissioners of the town of Columbus to lay off and lease water lots in said town, below Thomas street for any number of years not exceeding twenty, for wharves only.

A bill to separate and divorce John Canning and Elizabeth Canning, his wife.

A bill to alter and amend the 28th section of an act entitled an act to revise and consolidate, the Militia laws of this State, and to repeal the Cavalry laws now in force, passed Dec. 19th 1818, so far as relates to the appointment of Judge Advocates.

A bill to alter and amend the Road laws of this State, so far as respects the county of Dooley.

A bill to alter and amend the road laws, so far as respects the county of Emanuel.

A bill to separate and divorce William Brown and Elizabeth Brown, his wife.

A bill to alter and amend the several acts passed to prevent obstructions to the free passage of fish in the Ocmulgee river and its branches, passed in the years 1821, 1824, and 1829. Also, for the better regulation of fishing with scins in the said river and its branches.

A bill to be entitled an act, to amend the Judiciary law of 1799, in relation to bail—And also to amend an act, entitled an act, to amend the Judiciary law of this State, passed the 16th day of February, in the year 1799, so far to authorise the issuing of bail process in certain cases, passed the 8th Nov. 1820, so far as to authorise agents, attornies in fact, or at law, to hold to bail in all civil cases. And

A bill to manumit and set free from slavery, Sophia, a person of color, the property of Eli Fenn, and to give her a name.

The following communication was received from the Governor by Mr. Wellborn, his Secretary :

EXECUTIVE DEPARTMENT, }  
Milledgeville, Nov. 30, 1831. }

To the Senate and  
House of Representatives :

Under the provisions of the act to raise a tax for the support of Government for the year 1831, some of the Banks have claimed a reduction of 25 per cent in their settlements at the Treasury—One has applied for settlement without claiming any reduction under said act.

Different opinions are entertained upon this subject by persons in official situations, whose opinions are entitled to respect.

The Treasurer having presented the subject to me, I have thought proper to submit it for the consideration of the legislature.

WILSON LUMPKIN.

Which was read and referred to the committee on the Judiciary.

Mr. Boykin presented a petition from Augustin Harris of Baldwin county, praying to be relieved from the payment of interest accrued on a bond given for the purchase money of an acre lot in the town of Milledgeville in 1806.

Which was referred to a select committee consisting of Messrs. Boykin, Wood, and Branham.

The Senate took up the resolutions of Mr. Nisbet; laid upon the table the 26th inst. relative to an appropriation of money by the present legislature, as a reward for the arrest and delivery of any person or persons concerned in the publication or distribution of a certain seditious paper called "The Liberator," published in Boston in Massachusetts, or any other of a like character ; and having filled the blanks in said resolutions with the sum of \$5000, and further amended the body of said resolutions by not only requiring the arrest and trial, but also the "conviction" of all such offenders, they were agreed to.

The bill of the House of Representatives to pardon Isaiah Gaines of Hall county, was read the 2d time and ordered for a third reading.

The Senate adjourned until 3 o'clock P. M.

3 o'clock, P. M.

The Senate met pursuant to adjournment.

The following bills of Senate were read the second time and ordered for a third reading :

A bill to alter and amend the 2d section of an act to make permanent the public site in the county of Carroll ; to name, incorporate, and appoint commissioners for the same, and to establish an election district in said county.

A bill to separate Rebecca T. Warner and Leonard T. Warner her husband.

A bill to incorporate the meeting house on the Neck Road, near Hardwick, in the county of Bryan, and to appoint trustees for the same.

A bill to add a certain lot of land in the county of Randolph to the county of Stewart.

A bill to incorporate and make permanent the site of the public buildings in and for the county of Heard, at the town of Franklin.

A bill to add that part of the funds heretofore set apart for the support of county academies, to the poor school fund, so far as respects the county of Crawford.

A bill to vest a certain lot in the town of Macon in the Episcopal church thereof, and to repeal a part of the 5th section of an act to amend the several acts for the incorporation and government of the town of Macon, and to vest a certain lot in Macon in the Episcopal church thereof, passed the 22d day of December, 1830.

A bill to separate Nathaniel Perritt and Sally Perritt his wife.

A bill to alter and change the name of Mary Deavenport to that of Mary Queen.

A bill to authorise the payment to the trustees of the Crawford county academy of all arrears or dividends now due, or to which said institution may be entitled ; and to provide for the payment to the same of all dividends that may hereafter be declared in favor thereof.

A bill to sell fraction No. 402 in the 4th district of formerly Baldwin, now Morgan county. And

A bill to continue a mill dam across a part of the Ocmulgee river.

The following bills of Senate were read the second time and ordered for committees of the whole :

A bill to return such public lands as were originally purchased for the use of the river Altamaha, to the opening a wagon road from Darien to Macon and Milledgeville.

A bill to provide for compensating grand and petit jurors of this State.

A bill to attach a part of Henry county to the county of DeKalb.

A bill to attach a part of Fayette county to the county of DeKalb.

A bill to incorporate the town of Thomasville in the county of Thomas, and to appoint commissioners for the same.

A bill to repeal an act passed the 24th Dec. 1825, to add the academical funds of the county of Telfair, to the poor school funds of said county.

A bill to authorise the Judge of the Superior court of the Southern circuit, to hold an extra term of said court in the county of Decatur.

A bill providing for a convention to revise and amend the 3d, 4th, and 7th. sections of the 1st article of the constitution of this State.

A bill to regulate the poor schools, and appropriate funds, so far as relates to McIntosh county.

A bill to alter and amend an act to regulate the licensing of physicians in this State, passed 12th Dec. 1825.

A bill to lay out and organize a new division and two brigades Georgia militia.

A bill prescribing the manner of taking testimony in cases where any person intends contesting the seat of any member returned as elected.

A bill to provide for the alternation of the Judges of the Superior courts of this state with each other.

A bill to change the names of James Lupo and Jameson Lupo, to that of James Watson and Jameson Watson, and to legitimize the same.

A bill to add a part of Henry to the county of Fayette.

A bill to add a part of Wayne county to the county of Glynn.

A bill to grant relief and indulgence to purchasers of public lands.

A bill to amend in part the 3d section of an act to establish a bank at Milledgeville, to be called and known by the name and style of the Central Bank of Georgia, to appropriate monies, bank stock, and other securities, to form the capital stock of said bank, and to incorporate the same, so far as regards the salary of the Cashier of said bank.

A bill to alter and amend the 6th section of an act to sell and dispose of the State's interest in lots of land which have been, or may hereafter be condemned as fraudulently drawn in the counties of Lee, Muscogee, Marion, Harris, Talbot, Troup, Meriwether, Coweta, and Carroll, passed the 28th Dec. 1825.

A bill to vest in Thomas G. Bates, his heirs and assigns, the right to establish a brick yard on a portion of the land containing the town of Macon, set apart by an act of 1826 to preserve the timber in the vicinity of the town of Macon.

A bill for the relief of the citizens of Talbot county.

A bill to add the county of Houston to the Southern circuit, and to alter the times of holding the Superior and Inferior courts in said county.

A bill to require all the chartered Banks of this State to redeem their bills or notes with specie, upon presentation and demand of specie.

A bill for the relief of Julia Ann Miller and her securities.



A bill to lay out the Gold Region in the lands at present in the occupancy of the Cherokee Indians, into small lots, and dispose of the same by separate lottery.

A bill amendatory of the several laws of force in this State, relative to the pilotage of the Port of Savannah, and to regulate the conduct of masters of vessels towards the pilots of said Port.

A bill to alter and amend the several acts relating to the county academies of the State of Georgia.

A bill to repeal so much of the 21st section of an act to raise a tax for the support of Government for the year 1805, passed Dec. 12th. 1804, as provides that no replevying shall be, or any judicial interference be had, in any levy or distress for taxes under said law; and to authorise an affidavit of illegality to tax executions in certain cases.

A bill to remove the lock upon the Oconee river below Milledgeville, so far as to admit the free passage of fish.

A bill to authorise the Inferior court of Bibb county, to grant an order of contract to John Bailey to erect a toll gate at the Tobiasofka bridge, and to clear and receive toll with certain conditions and provisions.

A bill to incorporate the town of Franklin in the county of Troup, and to authorise the Trustees of the Franklin Academy to erect their academy building on lot No. 283, in the 5th district of said county.

A bill to allow Henry Anglin of Jackson county, two additional draws in the contemplated land lottery.

A bill to prescribe and limit the tenure of office of the Secretary of State, Treasurer, Comptroller General, and Surveyor General.

A bill to alter and change the time of holding the Superior courts in the Flint circuit. And

A bill to alter and amend the 3d. 7th. and 12th sections of the 1st article, and the 1st. and 3d. sections of the 3d article of the Constitution of this State.

The bill to prohibit the barbarous practice of duelling, and to compel each member to take an oath, &c.

Was ordered to lie on the table until called up.

On motion,

The honorable Senator from Early county had leave of absence after to-morrow, for a few days.

The Senate adjourned until 1-2 past 9 o'clock to-morrow morning.

**THURSDAY, 1st. Dec. 1831.**

On motion of Mr. Daniell to re-consider so much of the Journal of yesterday, as relates to the concurrence by Senate in the Report and resolutions of the House of Representatives, upon the memorial of Dr. Alexander Jones,

The yeas and nays were required to be recorded, and the yeas are 31—the nays are 24.

Those in the affirmative are, messrs.

Allen	Harlow	Muncrief
Avery	Henly	Nisbet
Baber	Hines	Sheffield
Bailey	Holloway	St. George
Baker	Loyall	Surrency
Boykin	McAllister	Thomas of Appling
Branham	McDougald	Thomas of Lee
Brown of Camden	McRae	Waldhauer
Bryan	Mealing	White
Coxe	Mercer	Williams
Daniell	Mitchell	Woolfolk
Dévereux		

Those in the negative are, messrs.

Anderson	Echols of Walton	Smith
Black	Faris	Spann
Blackstone	Fullwood	Stewart
Bowen	Graham	Swain
Brown of Montbe	Groves	Temples
Cargille	Hall	Tennille
Clayton	Johnson	Towns
Cleveland	Mobley	Ware
Cone	Parrish	Wells
Dean	Prior	Wofford
Dunagan	Singleton	Wood
Echols of Corveta		

There being a tie, the President voted in the affirmative, and the motion to re-consider, was thereby sustained.

Agreeably to notice, Mr. Wood moved for the appointment of a committee to enquire whether the river Altamaha and its tributary streams are not the rightful channel thro' which the products and commerce of Central Georgia ought to pass, together with such other matters as may be connected with the same, with leave to report by bill or otherwise.

Ordered, That messrs. Wood, Smith and Hall, be that committee.

Agreeably to notice, Mr. Devereux moved for the appointment of a committee to prepare and report a bill to establish an election district in the town of Powelton, in Hancock county.

Ordered That messrs. Devereux, Mercer and Muncrief, be that committee.

Agreeably to notice, Mr. Cone moved for the appointment of a committee to prepare and report a bill to reduce the fees on Head right Grants.

Ordered, That messrs. Cone, Towns and Mitchell, be that committee.

Mr. Graham from the committee appointed, reported a bill to compel the Justices of the Peace of the 535th district, of the Georgia militia, in the county of Dooly, and their successors in office, to hold their courts together, and to declare vacant their offices for refusing to do the same.

Which was read the first time.

Mr. Graham also, submitted the following resolution :

*Be it resolved by the Senate and House of Representatives of the State of Georgia, in General Assembly met, That the Governor be instructed to transmit to the county of Dooly, by the same conveyance by which he sends the acts and Journals of the present Legislature, four copies each, of Prince's Digest, & of the last edition of the Georgia Justice, for the use of the Justices of the Peace of said county.*

Which, having been read, was agreed to.

Mr. Hines presented a petition from citizens residing in the counties of Liberty, Bryan and Tattnall, praying an appropriation for the improvement of a road leading from Sister's ferry, on the Savannah river, and the ferries adjoining the same, to the Southern parts of this State and the Territory of Florida, by way of Beard's Bluff on the Altamaha.

Which was read and referred to a select committee, consisting of messrs. Hines, Wood and Surrency.

Mr. Cone from the committee appointed, reported a bill to reduce the fees on head right grants.

Which was read the first time.

Mr. Devereux from the committee appointed, reported a bill to establish an election district in the town of Powelton, in the county of Hancock.

Which was read the first time.

Mr. Mobley from the committee appointed, reported a bill to al-

ter and amend an act passed on the 22d Dec. 1828, so far as respects the poor school fund of the county of Irwin.

Which was read the first time.

Mr. Black presented a petition from citizens of DeKalb and Fayette counties, praying to be annexed to the county of Campbell.

Which was read and referred to a select committee, consisting of messrs. Black, Cleveland and Burch.

On motion,

Leave of absence was granted to the honorable Senator from the county of Oglethorpe, for a few days.

On motion of Mr. Johnson,

*Resolved*, That his Excellency the Governor be, and he is hereby requested to send to Henry county, with the Laws and Journals of the present session, six copies of Prince's Digest, and six copies of the Georgia Justice, for the use of the officers of said county, there being a deficiency of that number of copies.

The Senate took up the preamble and resolutions of Mr. Stewart, laid upon the table the 21st ult., relative to an appropriation for the improvement of the navigation of a small branch or creek of the Altamaha river, contiguous to the contemplated Brunswick Rail Road; and having amended the same by filling the blank with the sum of \$10,000, and also, extending the time for the return of the public hands to be employed thereat, from 'one year,' to '*one year and eight weeks.*'

Mr. Hines moved the following as an additional resolution :

*And be it further resolved*, That when said hands shall, at the expiration of one year, be applied to construct a road from Fort Barrington, on the Altamaha, thro' Bulltown Swamp to Sam'l Jones', in Liberty county : Provided, they are not employed for a longer term of time than eight weeks.

Which, said additional resolution was agreed to.

The original preamble and resolutions as amended, were then agreed to.

Ordered, That the Secretary carry them forthwith to the House of Representatives for their concurrence.

On motion of Mr. Surrency,

*Resolved*, That his Excellency the Governor be, and he is hereby required to send by the person employed to carry the acts and journals to the counties of Tattnall and Montgomery, six copies of Prince's Digest, and six copies of the Georgia Justice, to each of said counties.

Ordered, That the Secretary consolidate the several resolutions offered this day of similar import,

Mr. Surrency presented the petition of Henry and Allen Newney of Tattnall county, praying to be relieved from excessive taxation.

Which was referred to the Committee on Petitions.

The Senate took up by sections and agreed to the report of the committee of the whole, on the bill to incorporate a Banking Company in the town of Hawkinsville, and

On the question being put, shall the bill now pass?

The yeas and nays were required, and it was determined in the affirmative.

The yeas are 31—the nays are 28.

Those in the affirmative are, messrs.

Black	Graham	St. George
Bowen	Groves	Swain
Brown of Camden	Hall	Thomas of Lee
Bryan	Johnson	Temples
Cargille	McDougald	Tennille
Clayton	Miller	Towns
Cleveland	Parrish	Ware
Cone	Singleton	Wofford
Dean	Smith	Wood
Echols of Coweta	Spann	Woolfolk
Faris		

Those in the negative are, messrs.

Allen	Fullwood	Mitchell
Anderson	Harlow	Muncrief
Avery	Henly	Nisbet
Baker	Hines	Sheffield
Blackstone	Holloway	Surrency
Branham	Loyall	Thomas of Appling
Brown of Monroe	McAllister	Waldhauer
Daniell	Mealing	White
Dunagan	Mercer	Williams
Echols of Walton		

The bill of the House of Representatives, to pardon Isaiah Gaines, of Hall county, was read the third time; and on the question being put, shall the bill now pass?

The yeas and nays were required, and it was determined in the affirmative.

The yeas are 32—the nays are 21.

The honorable Senator from the county of Hall, having been excused from voting.

Those in the affirmative are, messrs.

Allen	Faris	Spann
Avery	Fullwood	Smith
Baber	Graham	St. George
Black	Hall	Swain
Blackstone	Johnson	Thomas of Lee
Branham	McAllister	Tennille
Brown of Camden	McDougald	Towns
Brown of Monroe	Mitchell	White
Clayton	Parrish	Williams
Daniell	Prior	Woolfolk
Dean	Sheffield	

Those in the negative are, messrs.

Anderson	Harlow	Miller
Bowen	Henly	Muncrief
Bryan	Holloway	Nisbet
Devereux	Loyall	Singleton
Echols of Coweta	McRae	Surrency
Echols of Walton	Mealing	Waldhauer
Groves	Mercer	Ware

On motion of mr. Towns, that the Secretary be directed to carry said bill to the House of Representatives,

The yeas and nays were required to be recorded, and it was decided in the negative ; there not being two thirds of the members present in favour of rescinding the rule of Senate upon this subject.

The yeas are 35—the nays are 19.

Those in the affirmative are, messrs.

Allen	Fullwood	Smith
Avery	Graham	Spann
Baber	Groves	St. George
Black	Hall	Swain
Blackstone	Johnson	Thomas of Appling
Branham	McAllister	Thomas of Lee
Brown of Monroe	McDougald	Tennille
Brown of Camden	McRae	Towns
Clayton	Mitchell	White
Daniell	Prior	Williams
Dean	Sheffield	Woolfolk
Faris	Singleton	

Those in the negative are, messrs.

Anderson	Devereux	Harlow
Bowen	Echols of Coweta	Henly
Bryan	Echols of Walton	Holloway

Loyall  
Mealing  
Mercer  
Miller

Muncrief  
Nisbet  
Parrish

Surrency  
Waldhauer  
Ware

The following bills of Senate were read the third time and passed :

A bill to alter and amend the 2d section of an act to make permanent the public site in the county of Carroll; to name, incorporate and appoint commissioners for the same, and to establish an election district in said county.

A bill to incorporate the meeting house on the neck road, near Hardwick, in the county of Bryan, and to appoint Trustees for the same.

A bill to add a certain lot of land in the county of Randolph to the county of Stewart.

A bill to incorporate and make permanent the site of the public buildings in and for the county of Heard at the town of Lumpkin.

A bill to add that part of the funds heretofore set apart for the support of County Academies, to the poor school fund, so far as respects the county of Crawford.

A bill to vest a certain lot in the town of Macon, in the Episcopal Church thereof, and to repeal a part of the 5th section of an act to amend the several acts for the incorporation and improvement of the town of Macon, and to vest a certain lot in Macon in the Episcopal Church thereof; passed the 22d Dec. 1830.

A bill to alter and change the name of Mary Deavenport to that of Mary Queen.

A bill to authorize the payment to the Trustees of the Crawford county Academy of all arrears or dividends now due, or to which said institution may be entitled, and to provide for the payment to the same of all dividends that may hereafter be declared in favour thereof.

A bill to sell fraction No. 402, in the 4th district formerly Baldwin, now Morgan county. And

A bill to continue a mill-dam across the Ocmulgee river.

The bill to separate and divorce Nathaniel Perritt and his wife, Sally Perritt, was read the third time; and on the passage of the bill,

The yeas and nays were required, and it was decided in the negative—there not being a constitutional majority in favour of its passage.

The yeas are 30—the nays are 29.

Those in the affirmative are, messrs.

Baber  
Black  
Bowen  
Brown of Camden  
Cargille

Clayton  
Cleveland  
Dean  
Devereux  
Echols of Coweta

Faris  
Groves  
Hall  
Henly  
Holloway

Johnson	Smith	Towns
Miller	Swain	Ware
Mitchell	Thomas of Appling	Williams
Parrish	Temples	Wofford
Prior	Tennille	Wood

Those in the negative are, messrs.

Allen	Loyall	Singleton
Anderson	McAllister	Stewart
Avery	McDougald	St. George
Baker	McRae	Surrency
Blackstone	Mealing	Thomas of Lee
Brown of Monroe	Mercer	Waldhauer
Dunagan	Mobley	Wells
Echols of Walton	Muncrief	White
Fullwood	Nisbet	Woolfolk
Hines	Sheffield	

The Senate resolved itself into a committee of the whole, mr. Stewart in the Chair, on the bill for the relief of John Heard, senr. and John Heard, junr. and having spent some time therein, the President resumed the Chair; and the bill was reprot without amendment.

Ordered, That the report lay upon the table for the present.

The Senate resolved itself into a committee of the whole, mr. Thomas of Appling, in the chair, on the bill for the relief of Thomas G. Gordon, and having spent sometime therein, the President resumed the Chair, and mr. Thomas reported disagreement to the bill.

The Senate took up the report, and on motion to agree to the same,

The yeas and nays were required and it was determined in the affirmative.

The yeas are 33—the nays are 31.

Those in the affirmative are, messrs.

Baker	Groves	Sheffield
Black	Hall	Singleton
Bowen	Harlow	Smith
Branham	Henley	St. George
Brown of Camden	Johnson	Surrency
Brown of Monroe	McRae	Swain
Cleveland	Mealing	Temples
Dunagan	Mercer	Waldhauer
Echols of Coweta	Mitchell	Ware
Echols of Walton	Nisbet	Wells
Fullwood	Prior	White



Those in the negative are, messrs.

Allen	Devereux	Parrish
Anderson	Faris	Stewart
Avery	Hines	Thomas of Appling
Baber	Holloway	Thomas of Lee
Blackstone	Loyall	Tennille
Boykin	McAllister	Towns
Cargille	McDougald	Williams
Clayton	Miller	Wofford
Cone	Mobley	Wood
Daniell	Muncrief	Woolfolk
Dean		

The Senate resolved itself into a committee of the whole, mr. Tennille in the Chair, on the bill to sell and dispose of lot No. 241, in the 5th district of Monroe county, and having spent some time therein, the President resumed the Chair, and the bill was reported without amendment.

Ordered, That the report lie upon the table for the present.

The Senate resolved itself into a committee of the whole, mr. Waldhauer in the Chair, on the bill to compel county officers, holding public monies, to keep a book of record of the receipts and expenditures of the same; and having spent some time therein, the President resumed the Chair, and the bill was reported with amendment.

The Senate took up and agreed to the report, and the bill was read the third time and passed.

The bill to incorporate a Bank in the town of Macon, on the east side of the river to be called the Planter's Bank of Macon, was taken up—when mr. Branham having moved that the same lay upon the table for the remainder of the session;

The yeas and nays were required, and it was determined in the affirmative.

The yeas are 32—the nays are 28.

The honorable Senator from Bibb, having been excused from voting.

Those in the affirmative are, messrs.

Allen	Groves	Mitchell
Avery	Harlow	Muncrief
Baker	Henly	Nisbet
Blackstone	Hines	Sheffield
Boykin	Holloway	Singleton
Branham	Loyall	St. George
Brown of Monroe	McAllister	Surrency
Bryan	McRae	Thomas of Appling
Daniell	Mealing	Waldhauer
Devereux	Mercer	White
Dunagan	Miller	

Those in the negative are, messrs.

Anderson	Cargille	Cone
Black	Clayton	Dean
Brown of Camden	Cleveland	Echols of Coweta

Echols of Walton	Prior	Ware
Faris	Smith	Wells
Fullwood	Stewart	Williams
Hall	Swain	Wofford
Johnson	Temples	Wood
Möbley	Tennille	Woolfolk
Parrish		

The Senate resolved itself into a committee of the whole, Mr. Williams in the Chair; on the bill to alter and amend the several laws in this State, regulating and defining patrol duty and for other purposes, and having spent sometime therein; the President resumed the Chair, and Mr. Williams reported disagreement to the bill.

The Senate took up and agreed to the report.

The Senate resolved itself into a committee of the whole, Mr. Wofford in the Chair, on the bill to remove obstructions in the streets of the town of Petersburg, and to keep open the same; and having spent some time therein, the President resumed the Chair, and the bill was reported with amendment.

The Senate took up and agreed to the report, and the bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, Mr. Wood in the Chair, on the bill to compel the Clerks of the Inferior courts of the different counties in this State to claim estrayed property, when levied on by executions in certain cases; and having spent sometime therein, the President resumed the Chair, and the bill was reported without amendment.

The Senate took up, amended and agreed to the report, the bill was then read the third time and passed.

The Senate resolved itself into a committee of the whole, Mr. Woolfolk in the Chair, on the bill to compel persons to serve as commissioners of public roads in the county of Chatham, who may be appointed hereafter, in conformity with the road laws now of force in said county; and having spent some time therein, the President resumed the Chair, and the bill was reported without amendment.

The Senate took up and agreed to the report, the bill was read the third time and passed.

The Senate adjourned until half past 9 o'clock, to-morrow morning.

FRIDAY, December 2d, 1831.

Mr. Echols of Walton, moved to reconsider the Journal of yesterday, so far as relates to the pardon of Isaiah Gaines.

Mr. Wofford enquired of the Chair, if the motion for reconsideration was in order, inasmuch as a bill for the pardon of Isaiah Gaines had been twice re-considered?

The President stated, the first rule of the Senate prohibited even in a case involving the life of an individual, more than two reconsiderations, notwithstanding the first bill for the pardon of Isaiah Gaines, originated in Senate, and the present bill for the same object in the House of Representatives, these two bills are for the pardon of the same individual, which is virtually the same, and brings it under the provisions of the first rule of this branch of the General Assembly.

On motion of Mr. Parrish,

The Senate recommended so much of the Journal of yesterday, embracing the rejection of the bill to separate and divorce Nathaniel Perritt and Sally Perritt, his wife.

On motion of Mr. M'Dougald, to reconsider so much of the Journal of yesterday, relative to the disagreement by Senate to the bill for the relief of Thomas G. Gordon,

The yeas and nays were required, and it was decided in the affirmative.

The yeas are 33---the nays are 22.

Those in the affirmative are, messrs.

Anderson	Dean	Smith
Avery	Devereux	Stewart
Baber	Paris	St. George
Blackstone	Hines	Swain
Boykin	Holloway	Thomas of Appling
Branham	Johnson	Thomas of Lee
Brown of Camden	McAllister	Tennille
Brown of Monroe	McDougald	Towns
Cargille	McRae	Waldhauer
Clayton	Mealing	Williams
Cleveland	Mitchell	Wofford
Cone	Muncrief	Wood
Daniel	Parrish	Woolfolk

Those in the negative are, messrs.

Baker	Hall	Sheffield
Black	Harlow	Singleton
Bowen	Henly	Surrency
Dunagan	Mercer	Temples
Echols of Coweta	Miller	Ware
Echols of Walton	Mobley	Wells
Fullwood	Nisbet	White
Groves		

On motion of Mr. Smith, to reconsider so much of the Journal of yesterday, relative to laying on the table for the remainder of the session, the bill to incorporate a Bank in the town of Macon, on the east side of the river, to be called the Planters' Bank of Macon,

The yeas and nays were required, and it was determined in the affirmative.

The yeas are 40—the nays are 20.

Those in the affirmative are, messrs.

Anderson	Fullwood	Smith
Black	Groves	Stewart
Blackstone	Hall	Swain
Bowen	Henly	Thomas of Lee
Branham	Hines	Temples
Cargille	Johnson	Tennille
Clayton	McAllister	Town
Cleveland	McDougald	Ware
Dean	Mobley	Wells
Dunagan	Muncrief	Williams
Echols of Coweta	Parrish	Wofford
Echols of Walton	Prior	Wood
Everett	Singleton	Woolfolk
Faris		

Those in the negative are, messrs.

Allen	Holloway	Sheffield
Avery	McRae	St. George
Baker	Mealing	Surrency
Brown of Monroe	Mercer	Thomas of Appling
Daniell	Miller	Wadthauer
Devereux	Mitchell	White
Harlow	Nisbet	

On motion,

The honorable Senators from the counties of Pulaski, Scriven, Troup and Jasper, had leave of absence for a few days; and

The honorable Senator from the county of Montgomery, after Monday next, for a few days also.

The Senate took up the following re-considered resolutions of the House of Representatives :

*“ Be it resolved by the Senate and House of Representatives in General Assembly met, and it is hereby resolved by the authority of the same, That the sum of fifteen hundred dollars be, and the same is hereby appropriated to pay the expenses of Dr. Alexander Jones to London, for the purpose of transcribing the records, now in the Board of Trade and other colonial offices of that city, which relate to our early Colonial History : Provided, the said Jones first gives security, in a bond of an equal amount, to the Governor of this State, for a faithful discharge of his duty, and for the safe return of the money to the Treasury in the event the records are not procured.*

*And be it further resolved, That the said Alexander Jones shall be required to keep a correct account of all his expenditures, while engaged in the above mission, and when he returns, he shall present a copy of the colonial records obtained, with a list of his expenses, during his absence, to a future committee on Finance of the Legislature, who shall estimate the necessary time required to transcribe the records presented for the use of the State, and only pay for the necessary time employed in doing the same, and travelling to and from London. Should that estimate require less than \$1500, the said Jones or his security, shall be held bound to the State for the surplus amount : And should the time estimated require more than the above sum, the same shall be allowed out of any money not otherwise appropriated.*

*Provided, nevertheless, That the said Alexander Jones first deposit in the Executive Office, a copy of all the historical records obtained from the foreign colonial offices.*

Mr. Daniell moved to lay the resolutions on the table until Wednesday next, and on the question being put, to agree thereto,

The yeas and nays were required and it was determined in the negative.

The yeas are 29—the nays are 34.

Those in the affirmative are, messrs.

Allen	Harlow	Nisbet
Avery	Henly	Sheffield
Baber	Hines	St. George
Baber	Holloway	Surrency
Boykin	McAllister	Thomas of Appling
Branham	McDougald	Thomas of Lee
Brown of Camden	McRea	Waldhauer
Clayton	Mealing	White
Daniell	Mercer	Williams
Devereux	Muncrief	

Those in the negative are, messrs.

Anderson	Everett	Smith
Black	Faris	Stewart
Blackstone	Fullwood	Swain
Bowen	Groves	Temples
Brown of Monroe	Hall	Tennille
Cargille	Johnson	Townes
Cleveland	Mitchell	Ware
Cone	Mobley	Wells
Dean	Parrish	Wofford
Dunagan	Prior	Wood
Echols of Coweta	Singleton	Woolfolk
Echols of Walton		

Mr. Baber then proposed the following as a substitute to said resolutions :

1. *Resolved*, That a fit and suitable person be chosen by joint ballot of both branches of the Legislature, to repair to London, to procure a copy of such papers, records and documents as relate to the Colonial History of Georgia.

2. *Resolved*, That his Excellency the Governor be, and he is hereby requested and authorized to inform his Excellency, the President of the United States, of the appointment of such person, and ask his co-operation in the attainment of the object of the foregoing resolution, through the resident Minister of the United States, at London.

3. *Resolved*, That his Excellency the Governor, grant to the person chosen a certificate of his appointment, and take bond with approved security in double the amount which may hereafter be appropriated, for the faithful performance of the services for which he was chosen ; to be forfeited to the State, on failure to fulfil and complete the object aforesaid, or render a satisfactory reason why such service could not be rendered, to be recovered in any court of Law or Equity in this State, having competent jurisdiction thereof.

4. *Resolved*, That his Excellency the Governor be, and he is hereby requested to instruct the person appointed as aforesaid, to ask permission of the British Government to have their seal of State affixed to all such papers, records and documents, which he may be permitted to copy, as official evidence of their being true copies of those of file in the different offices of the British Government and Board of Trade.

5. *Resolved*, That four thousand dollars, be inserted in the appropriation act of the present session of the Legislature, for carrying into effect the provisions of the foregoing resolutions.

On the question to agree to the substitute as proposed,

The yeas and nays were required, and it was determined in the negative.

The yeas are 30—the nays are 34.

Those in the affirmative are, messrs.

Allen	Harlow	Muncrief
Avery	Henly	Nisbet
Baber	Hines	Sheffield
Baker	Holloway	St. George
Boykin	McAllister	Surreney
Branham	McDougald	Thomas of Appling
Brown of Camden	McRae	Thomas of Lee
Brown of Monroe	Mealing	Waldhauer
Daniell	Mercer	White
Devereux	Miller	Williams

Those in the negative are, messrs.

Anderson	Everett	Smith
Black	Faris	Stewart
Blackstone	Fullwood	Swain
Bowen	Groves	Temples
Cargille	Hall	Tennille
Clayton	Johnson	Towns
Cleveland	Mitchell	Ware
Cone	Mobley	Wells
Dean	Parrish	Wofford
Dunagan	Prior	Wood
Echols of Coweta	Singleton	Woolfolk
Echols of Walton		

On motion,

That the Senate do now concur with the House of Representatives, in said resolutions,

The yeas and nays were, thereupon, required to be recorded, and it was decided in the affirmative.

The yeas are 34—the nays are 30.

Those in the affirmative are, messrs.

Anderson	Echols of Walton	Singleton
Black	Everett	Smith
Blackstone	Faris	Stewart
Bowen	Fullwood	Swain
Brown of Monroe	Groves	Temples
Cargille	Hall	Tennille
Clayton	Johnson	Towns
Cleveland	Mitchell	Ware
Cone	Mobley	Wells
Dean	Parrish	Wofford
Dunagan	Prior	Wood
Echols of Coweta		

Those in the negative are, messrs.

Allen	Baker	Brown of Camden
Avery	Boykin	Daniell
Baber	Branham	Devereux

Harlow	Mealing	Surrey
Henly	Mercer	Thomas of Applin
Hines	Miller	Thomas of Lee
Holloway	Munierief	Waldhauer
McAllister	Nisbet	White
McDougald	Sheffield	Williams
McRae	St. George	Woolfolk

Mr. Nisbet from the joint Judiciary committee to whom was referred the resolution directing an inquiry into the expediency of changing the present mode of taking testimony by means of Interrogatories,

Reported, That they deem any law changing the existing laws on the subject of procuring testimony by means of Interrogatories, wholly useless, and beg to be dismissed from the further consideration of the subject.

Which was read and agreed to.

Mr. Nisbet also, from the joint Judiciary committee, to whom was referred the communication of the Governor, and the documents accompanying the same, upon the subject of a Citation, purporting to have been signed by the Hon. Henry Baldwin, one of the Justices of the Supreme Court of the United States, and directed to the State of Georgia, requiring her appearance before the Supreme Court on the 2d Monday in January next, to answer to writs of Error filed by Samuel A. Worcester and Elizur Butler, &c. made a report, which was read and ordered to lie upon the table until Wednesday next, and be printed for the use of the Senate.

On motion of Mr. Mitchell,

The bill to lay out the Gold region in the lands at present in the occupancy of the Cherokee Indians, into small lots, and dispose of the same by separate lottery,

Was ordered to be printed for the use of the members of the Senate.

Mr. Anderson laid upon the table the following preamble and resolution:

Whereas, Joseph V. Bevan, by concurred resolution of the 18th Dec. 1834, there was an appropriation made in his favour of \$400, for which he engaged to do certain things therein specified, and he was to give a bond for the performance of the same; and whereas, the said Joseph V. Bevan, hath departed this life without realizing the object for which the said money was advanced,

*Be it resolved*, That his Excellency the Governor, be requested to cause the aforesaid bond to be placed in the hands of the Solicitor General of the eastern district, with directions to recover the said \$400, from the executors or administrators of the said Bevan's estate—the State not having received the consideration, for which it was advanced.

Mr. Towns from the committees appointed, upon the several Petitions of Mrs. Martha Birch, relic and widow of the late Charles C. Birch, and David Shelton, administrator of Thomas Dyer, dec. made reports thereupon, which were read and ordered to lie upon the table for the present.



Mr. Hines from the committee to whom was referred the Petition of sundry citizens, praying an appropriation for the purpose of building necessary bridges across the Logoons at Beard's Bluff, on the Altamaha, made a report,

Which was read, and also ordered to lie upon the table for the present.

Mr. Woolfolk from the committee appointed, reported a bill to incorporate the Lancasterian or Monitorial Free School, in the town of Columbus.

Mr. Woolfolk had leave to report *instanter*, a bill to emancipate and set free Henrietta, formerly the property of David Harrison, and

A bill to authorize the commissioners of the town of Columbus to establish a Fire Company.

Which were severally read the first time.

The Senate took up the report of the committee of the whole, on the bill for the relief of John Head, sen. and John Head, jun. ; and having amended and agreed to the same, the bill was read the third time and passed, under the title of a bill for the relief of John Head, senr., John Head, junr., Nathan M'Leroy, Moses Butts and James Head, junr.

The Senate took up and agreed to the report of the committee of the whole, on the bill to sell and dispose of lot, No. 241, in the 5th district of Monroe county.

The bill was read the third time and passed.

The bill to reduce the fees on Head Right Grants,

Was read the second time and ordered for a third reading.

The bill to compel the Justices of the Peace, in the 535th district of the Georgia Militia, in the county of Dooley, and their successors in office, to hold their courts together, and to declare vacant their offices, for refusing to do the same.

The bill to establish an election district in the town of Powelton, in the county of Hancock ; and,

The bill to alter and amend an act passed on the 22d of December, 1828, so far as respects the poor school fund of the county of Irwin.

Were severally read the second time and ordered for committees of the whole.

The Senate resolved itself into a committee of the whole, Mr. Anderson in the Chair, on the bill to incorporate Harmony Academy, in Henry county, and to appoint trustees for the same : And having spent some time therein, the President resumed the Chair, and the bill was reported without amendment.

The Senate took up and agreed to the report,

The bill was read third and passed.

The Senate resolved itself into a committee of the whole, Mr. Bowen in the Chair, on the bill to establish two additional election districts in the county of Marion ; and having spent some time therein, the President resumed the Chair, and the bill was reported without amendment.

The Senate took up, amended and agreed to the report, and the bill was read the third time and passed, under the title of a bill to

establish two additional election districts in the county of Marion, and two election districts in the county of Lee.

The Senate resolved itself into a committee of the whole, Mr. Boykin in the Chair, on the bill to authorize and compel John R. M. Neal, Treasurer of Randolph county in the year 1830, to pay over to the Justices of the Inferior court of Stewart county, any money which he held or now holds, arising from the sale of lots in the town of Lumpkin, that was not otherwise disposed of previous to the division of Randolph county; and having spent some time therein, the President resumed the Chair, and the bill was reported without amendment.

The Senate took up and agreed to the report; the bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, Mr. Brown of Camden, in the Chair, on the bill to authorize James K. M'Leod, to establish a ferry across the Chattahoochee river on his own land; and having spent sometime therein, the President resumed the Chair, and the bill was reported with amendment.

Ordered, That the report lie on the table for the present.

The Senate resolved itself into a committee of the whole, Mr. Brown of Monroe, in the Chair, on the bill to compensate Justices of the Peace of Telfair county, in certain cases; and having spent some time therein, the President resumed the Chair, and the bill was reported without amendment.

The Senate took up and agreed to the report; the bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, Mr. Cleveland in the Chair, on the bill to divide the county of Lee; and having spent some time therein, the President resumed the Chair, and the bill was reported with amendment, by way of substitute.

The Senate took up and agreed to the report; the bill was read the third time, under the title of a bill to divide the county of Lee, and form a new county therefrom, to be called the county of Sumter; and on the passage of the same,

The yeas and nays were required, and it was decided in the affirmative.

The yeas are 34—the nays are 24.

Those in the affirmative are, messrs.

Avery	Brown of Camden	Faris
Baber	Brown of Monroe	Hall
Blackstone	Cleveland	Harlow
Bowen	Dean	Holloway
Boykin	Dunagan	Johnson

<b>McDougald</b>	<b>St. George</b>	<b>Towns</b>
<b>Miller</b>	<b>Swain</b>	<b>Waldhauer</b>
<b>Mobley</b>	<b>Thomas of Appling</b>	<b>Ware</b>
<b>Muncrief</b>	<b>Thomas of Lee</b>	<b>Williams</b>
<b>Sheffield</b>	<b>Temples</b>	<b>Wood</b>
<b>Singleton</b>	<b>Tennille</b>	<b>Woolfolk</b>
<b>Smith</b>		

Those in the negative are, messrs.

<b>Allen</b>	<b>Echols of Walton</b>	<b>Mercer</b>
<b>Anderson</b>	<b>Fullwood</b>	<b>Mitchell</b>
<b>Baker</b>	<b>Groves</b>	<b>Parrish</b>
<b>Black</b>	<b>Henly</b>	<b>Prior</b>
<b>Cargille</b>	<b>Hines</b>	<b>Stewart</b>
<b>Daniell</b>	<b>McAllister</b>	<b>Wells</b>
<b>Devereux</b>	<b>McRae</b>	<b>White</b>
<b>Echols of Coweta</b>	<b>Mealing</b>	<b>Wofford</b>

The Senate adjourned until 3 o'clock, P. M.

### **3 O'CLOCK, P. M.**

The Senate met pursuant to adjournment.

The several messages of the House of Representatives were taken up, and the bills therein contained, severally read the first time.

The following bills of the House of Representatives, were read the second time and ordered for committees of the whole :

A bill to authorize Andrew F. Woolly, to keep up his mill-dam across the Chestatee river in the county of Hall.

A bill to exempt from road duty on certain conditions, all male slaves on the Island of St. Catherine.

A bill to add additional election districts in the county of Meriwether.

A bill defining the liability of purchasers of real and personal estate, at executors, administrators, guardians and sheriffs sales, when they refuse or fail to comply with the terms of such sales.

A bill for the relief of Joseph R. Salter.

A bill to alter and fix the times of holding the Superior courts of Wilkinson county

A bill to prevent itinerant or unauthorized persons from locating themselves on or near the river Savannah under the pretence of fishing, and to prevent obstructions to the passage of fish up the said river, and further to prohibit the trading with slaves, and to extend the powers of civil officers and patrols; and

A bill to authorize the Justices of the Inferior court of Madison county to loan out the county funds at interest.

The Senate adjourned until half past 9 o'clock, to-morrow morning.

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*SATURDAY, 3d December, 1831.*

On motion,

The honorable Senators from the counties of Morgan and Twiggs had leave of absence for a few days.

The Senate took up, and amended and agreed to the report of the committee of the whole, on the bill to authorise James K. McLeod to establish a ferry across the Chattahoochee river on his own land. The bill was read the third time and passed under the title A Bill to authorise and empower Daniel McLeod of Stewart County, to establish a ferry across the Chattahoochee river on his own land.

The bill to incorporate the Lancasterian or Monitorial Free School in the town of Columbus,  
Was read the second time, and ordered for a third reading.

The bill to emancipate and set free Henrietta, formerly the property of David Harrison—and

The bill to authorise the Commissioners of the town of Columbus to establish a Fire Company, were read the second time and ordered for committees of the whole.

The bill to reduce the fees on Head Right Grants, was read a third time and passed.

The Senate resolved itself into a committee of the whole, Mr Burch in the chair, on the bill to establish two election districts in the county of Laurens, &c. and having spent some time therein, the President resumed the chair, and the bill was reported without amendment.

The Senate took up and agreed to the report ; the bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, Mr. Cargille in the Chair, on the bill to remove the county site of Baker county, from Byron to lot No. 172, in the 8th district of said county, and to appoint commissioners for that purpose ; and having spent some time therein, the President resumed the Chair, and the bill was reported with amendment.

The Senate took up and agreed to the report ; the bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, mr. Coxé in the Chair, on the bill to establish two additional election districts in the county of Baker ; and having spent some time therein, the President resumed the Chair, and the bill was reported with amendment.

The Senate took up and agreed to the report ; the bill was read the third time and passed, under the title of a bill to establish three election districts in the county of Baker.

The Senate resolved itself into a committee of the whole, mr. Daniell in the Chair, on the bill to repeal the 2d and 4th sections of an act passed the 21st day of Dec. 1730, to appoint eleven additional trustees of the University of Georgia, and to provide a permanent additional fund, for the support of the same, and declare the number of Trustees which shall be necessary to form a board, and to authorize a loan of \$10,000, to the board of trustees of said University, and to provide for the education of certain poor children therein mentioned ; and having spent some time therein, the President resumed the Chair, and mr. Daniell reported progress, and asked leave to sit again.

The Senate took up and agreed to the report ; and the report was made the order of the day for Thursday next.

The Senate resolved itself into a committee of the whole, mr. Dean in the Chair, on the bill to alter and amend an act to impose an additional tax on Peddlers and other itinerant traders ; passed the 9th day of Dec. 1824 ; and having spent some time therein, the President resumed the Chair, and mr. Dean reported progress, and asked leave to sit again.

The Senate took up and agreed to the report ; ordered, that the report be the order of the day for Wednesday next.

The Senate resolved itself into a committee of the whole, mr. Devereux in the Chair, on the bill to change the present mode of voting ; and having spent some time therein, the President resumed the Chair, and mr. Devereux reported disagreement to the bill.

The Senate took up and agreed to the report.

The Senate resolved itself into a committee of the whole, mr.

Dunagan in the Chair, on the bill to establish certain ferries therein mentioned ; and having spent some time therein, the President resumed the Chair, the bill was reported without amendment.

The Senate took up and agreed to the report ; the bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill to regulate the transportation of gun powder, and to authorize the forfeiture of such as shall be transported in violation of the provisions of this act—Mr. Echols of Coweta, in the Chair ; and having spent some time therein, the President resumed the Chair, and the bill was reported with amendment.

The Senate took up and agreed to the report ; the bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, Mr. Echols of Walton, in the Chair, on the bill requiring parties plaintiff, who bring actions of slander and other vexatious suits to give bond and security for the payment of costs : also, requiring Justices of the Peace, to take bonds from prosecutors before issuing warrants in State and criminal cases ; and having spent some time therein, the President resumed the chair, and the bill was reported without amendment.

The Senate took up and agreed to the report ; and the bill was read the third time and rejected.

The Senate resolved itself into a committee of the whole, Mr. Faris in the Chair, on the bill to attach a part of Henry county to the county of DeKalb ; and having spent some time therein, the President resumed the Chair, and the bill was reported without any amendment.

The Senate took up and agreed to the report, and on the question being put, shall the bill now pass ?

The yeas and nays were required to be recorded, and it was determined in negative.

The yeas are 26—the nays are 32.

Those in the affirmative are, messrs.

Allen	Cleveland	Mercer
Anderson	Cone	Mobley
Avery	Coxe	Stewart
Baber	Dunagan	Thomas of Appling.
Baker	Echols of Walton	Tennille
Blackstone	Groves	Ware
Brown of Camden	Henly	White
Brown of Monroe	Hines	Wofford
Cargille	McAllister	

Those in the negative are, messrs.

Black	Harlow	Singleton
Bowen	Holloway	St. George
Boykin	Johnson	Surrency
Burch	McDougald	Swain
Dean	McRae	Temples
Devereux	Mealing	Waldhauer
Echols of Coweta	Mitchell	Wells
Everett	Muncrief	Williams
Faris	Parrish	Wood
Fullwood	Prior	Woolfolk
Hall	Sheffield	

The Senate resolved itself into a committee of the whole, Mr. Groves in the Chair, on the bill to attach a part of Fayette county to the county of DeKalb; and having spent some time therein, the President resumed the Chair, and the bill was reported without amendment.

The Senate took up and greed to the report; the bill was read the third time, and on the question being put, shall this bill now pass?

The yeas and nays were required, and it was decided in the negative.

The yeas are 28—the nays are 31.

Those in the affirmative are, messrs.

Allen	Cone	Parrish
Anderson	Dunagan	Singleton
Baber	Echols of Coweta	Stewart
Black	Echols of Walton	Thomas of Appling
Blackstone	Everett	Temples
Bowen	Groves	Tennille
Brown of Camden	Henly	Towns
Brown of Monroe	Miller	Ware
Cargille	Mobley	White
Cleveland		

Those in the negative are, messrs.

Baker	Johnson	St. George
Burch	McAllister	Surrency
Coxe	McDougald	Swain
Dean	McRae	Thomas of Lee
Devereux	Mealing	Waldhauer
Faris	Mercer	Wells
Fullwood	Mitchell	Williams
Harlow	Muncrief	Wofford
Hines	Prior	Wood
Holloway	Sheffield	Woolfolk

The Senate resolved itself into a committee of the whole, mr. Harlow in the Chair, on the bill to repeal an act passed the 24th Dec. 1825, to add the academic funds of the county of Telfair to the poor school funds of said county ; and having spent some time therein, the President resumed the chair, and the bill was reported without amendment.

The Senate took up and agreed to the report ; the bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, mr. Henly in the Chair, on the bill to authorize the Judge of the Superior court of the Southern circuit, to hold an extra term of said court in the county of Decatur ; and having spent some time therein, the President resumed the chair, and the bill was reported with amendment.

The Senate took up and agreed to the report ; the bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, mr. Hines in the Chair, on the bill to regulate the poor schools and appropriate funds, so far as relates to McIntosh county ; and having spent some time therein, the President resumed the Chair, and the bill was reported without amendment.

The Senate took up and agreed to the report ; the bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, mr. Johnson in the Chair, on the bill to alter and amend an act to regulate the licensing of Physicians in this State, passed the 12th day of December, 1825 ; and having spent some time therein, the President resumed the Chair, and the bill was reported with amendment.

The Senate took up and agreed to the report ; the bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, mr. McDougald in the Chair, on the bill to lay out and organize a new division and two brigades of Georgia Militia ; and having spent some time therein, the President resumed the Chair, and the bill was reported with amendment.

The Senate took up and agreed to the report ; the bill was read the third time and rejected.

The Senate adjourned until Monday morning, half past 9 o'clock.



*MONDAY, 5th December, 1831.*

On motion of Mr. McDougald,

To reconsider so much of the journal of Saturday last, relative to the Senate's rejecting the bill to lay out and organise a new division and two brigades of Georgia Militia—it was determined in the negative.

Mr. Dunagan from the committee appointed on the petition of Isaac Pirtle, James Cantrell, and Allen Blake, relative to their compensation for the arrest of Isaiah Gaines, a fugitive from justice, made a report,

Which was read, and ordered to lie upon the table for the present.

Mr. Coxe had leave to report instantler, a bill further to amend an act to incorporate the Bank of the State of Georgia, passed the 16th December, 1815.

Which was read the first time.

Mr. Stewart had leave to introduce instantler, a bill to organise a Volunteer Company of Cavalry, to be known and incorporated under the name of the Glynn County Huzzars, and to supply the same with arms.

Which was read the first time.

Mr. Faris from the committee appointed, reported a bill to establish an additional election district in the county of Rabun.

Which was read the first time.

Mr. Burch from the committee appointed, reported a bill for the relief of William Gilleland, Jun. tax collector of Fayette county, for the year 1828.

Which was read the first time.

Mr. Baber had leave to report instantler, a bill to amend and consolidate the several acts which have been passed in relation to the powers and privileges of the Corporation of the town of Macon, and the common thereof, and for the purposes herein mentioned.

Which was read the first time.

Mr. Ray had leave to report instantler, a bill making all cases returned at the last Superior Court for November Term in the county of Thomas, stand for trial at the next Superior court for said county. Which was read the first time.

On motion of mr. Mealing,

*Resolved*, That His Excellency the Governor be, and he is here-

by authorised to deliver to Michael F. Buisclair and his associates, (under the name and style of the Richmond Light Dragoons,) fifty cavalry swords, and fifty pair of pistols, for the use of said company of Light Dragoons, provided they comply with the law provided for in such cases.

Ordered, That the Secretary carry said resolution to the House of Representatives in his message of this day.

The bill to separate and divorce Rebecca T. Warner and Leonard T. Warner her husband, was read the third time; and on the question being put on the passage of the bill,

The yeas and nays were required—

The Yeas are 41, the Nays are 21.

Those in the affirmative are, messrs.

Allen	Faris	Ray
Baber	Graham	Sheffield
Black	Hall	Spann
Bowen	Harlow	Stapleton
Boykin	Henly	Stewart
Brown of Camden	Hines	Swain
Brown of Monroe	Johnson	Thomas of Appling
Burch	McAllister	Tennille
Cleveland	Mealing	Ware
Daniell	Miller	White
Dean	Mitchell	Williams
Devereux	Muncrief	Wofford
Echols of Coweta	Parrish	Wood
Everett	Prior	

Those in the negative are, messrs.

Anderson	Coxe	Singleton
Avery	Dunagan	St. George
Bailey	Echols of Walton	Surrency
Baker	Fullwood	Thomas of Lee
Blackstone	Groves	Temples
Cargille	Mercer	Waldhauer
Cone	Mobley	Wells

There not being a constitutional majority in its favor, the President voted in the affirmative, and the bill was declared to have passed.

The President submitted the following communication from the Surveyor General, viz :

*The honorable the Senate, and  
House of Representatives :*

The plan I laid before your honorable body of the Cherokee ter-

ritory at the last session, from the materials I had, and the best information I could obtain, I made that territory to consist of 96 districts, but on actual survey found to contain only 93, owing to the line between Georgia, North Carolina and Tennessee, being shorter than had been represented by 3 or 4 miles; and as there were 96 surveyors elected, I thought it best to lay it before your honorable body, as it might require some act of legislation.

All which is most humbly submitted.

**JOHN BETHUNE, *Surveyor General.***

Which was read and ordered to lie upon the table for the present.

The bill to incorporate the Lancasterian or Monitorial Free School of Columbus,

Was read the third time and passed.

The Senate resolved itself into a committee of the whole, Mr. Mealing in the chair, on the bill to make permanent the site of the public buildings in the county of Randolph, at the town of Cuthbert, and to incorporate the same; and having spent some time therein, the President resumed the chair, and the bill was reported without amendment.

The Senate took up and agreed to the report; the bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, Mr. Mitchell in the chair, on the bill declaring what gifts of slaves shall be valid for the prevention of frauds; and having spent some time therein, the President resumed the chair, and the bill was reported without amendment.

The Senate took up the report by sections, and the first having been read,

Mr. Brown of Monroe moved to lay the report on the table for the remainder of the session;

The same was determined in the affirmative.

The Senate resolved itself into a committee of the whole, Mr. Mobley in the chair, on the bill to provide for compensating grand and petit jurors of this State; &c. and having spent some time therein, the President resumed the chair, and the bill was reported without amendment.

The Senate took up the report, and on motion of Mr. Henly to lay the same on the table for the remainder of the session, the yeas and nays were required to be recorded thereon by Mr. Singleton, and it was decided in the negative.

The yeas are 17, the nays are 47.

Those in the affirmative are, messrs.

Avery  
Baber

Bailey  
Black

Boykin  
Coxe

Daniell	Mercer	Towns
Devereux	Muncrief	Waldhauer
Harlow	Ray	Woolfolk
Henly	Sheffield	

Those in the negative are, messrs.

Allen	Faris	Spann
Anderson	Fullwood	Stapleton
Baker	Graham	Stewart
Blackstone	Groves	St. George
Bowen	Hall	Surrency
Branham	Hines	Swain
Brown of Camden	Johnson	Thomas of Appling
Brown of Monroe	McAllister	Temples
Burch	McDougald	Tennille
Cargille	Mealing	Ware
Cleveland	Miller	Wells
Cone	Mitchell	White
Dean	Mobley	Williams
Dunagan	Parrish	Wofford
Echols of Coweta	Prior	Wood
Echols of Walton	Singleton	

Ordered, that the report lie upon the table for the present.

The following message was received from the House of Representatives by Mr. Dawson, their clerk :

The House of Representatives have passed the following bills :

A bill to amend an act entitled an act to provide for the improvement of the roads and rivers of this State, passed 18th December, 1829—and

A bill to authorise Larkin Wilson to erect a toll bridge across the Towalaga river in Monroe county, &c.

And they have agreed to a report and resolution in favor of Richard L. Sims, late Solicitor General of the Flint circuit—and

To a report and resolution in favor of William Williams;

To which they desire the concurrence of the Senate.

The Senate resolved itself into a committee of the whole, Mr. Muncrief in the chair, on the bill to incorporate the town of Thomsville in the county of Thomas, and to appoint commissioners for the same; and having spent some time therein, the President resumed the chair, and the bill was reported without amendment.

The Senate took up and agreed to the report;

The bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, Mr. Waldhauer in the chair, on the bill prescribing the manner of tak-

ing testimony in cases where any person intends contesting the seat of any member returned as elected a senator or representative of this State; and having spent some time therein, the President resumed the chair, and the bill was reported with amendment.

Ordered, that the report lie upon the table for the present.

The Senate resolved itself into a committee of the whole, Mr. Ray in the chair, on the bill to alter and change the names of Jns. Lupo and Jameson Lupo, to that of James Watson and Jameson Watson, and to legitimatise the same; and having spent some time therein, the President resumed the chair, and the bill was reported without amendment.

The Senate took up and agreed to the report;

The bill was read the third time and passed.

The bill to add a part of Henry county to the county of Fayette, was ordered to lie upon the table for the balance of the session—and

The bill to add a part of Wayne county to the county of Glynn, was ordered to lie upon the table for the present.

The Senate resolved itself into a committee of the whole, Mr. Singleton in the chair, on the bill to grant relief and indulgence to purchasers of public lands; and having spent some time therein, the President resumed the chair, and the bill was reported without amendment.

Ordered, that the report lie upon the table for the present.

The following communication was received from the Governor, by Mr. Wellborn, his Secretary :

EXECUTIVE DEPARTMENT, GEORGIA, }  
Milledgeville, December 5th, 1831. }

*To the Senate  
and House of Representatives :*

I submit to your consideration, a communication received this morning from the Major General of the 2d Division of the Georgia Militia. Applications for similar expenses incurred on the occasion referred to in Gen. Montgomery's letter, have been presented to this Department for payment. The Legislature being now in session, it is desirable to the Executive in this and all other applications requiring the disbursement of the public money, that nothing should be left to the discretion of this Department which is not indispensably necessary to the public service.

I also invite the attention of the General Assembly to that part of Gen. Montgomery's letter, which relates to the erection of an Arsenal at Augusta.

WILSON LUMPKIN.

Which was read and referred, together with the accompanying document, to the military committee.

The Senate resolved itself into a committee of the whole, Mr. Stewart in the chair, on the bill to amend in part the 9th section of

an act to establish a bank at Milledgeville, to be called and known by the name and style of the Central Bank of Georgia, to appropriate monies, bank stock, and other securities to form the capital stock of said bank, and to incorporate the same, so far as regards the salary of the Cashier of said bank; and having spent some time therein, the President resumed the chair, and the bill was reported without amendment.

The Senate took up and agreed to the report;

The bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, Mr. St. George in the chair, on the bill to alter and amend the 6th section of an act, entitled an act to sell and dispose of the State's interest in lots of land which have been, or may hereafter be condemned as fraudulently drawn in the counties of Lee, Museogee, Marion, Harris, Talbot, Troup, Meriwether, Coweta and Carroll, passed the 20th Dec. 1828; and having spent some time therein, the President resumed the chair, and the bill was reported with amendment.

The Senate took up and agreed to the report;

The bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, Mr. Surrency in the chair, on the bill to vest in Thomas G. Bates his heirs and assigns, the right to establish a brick yard on a portion of the land adjoining the town of Macon, set apart by an act of 1826, to preserve the timber in the vicinity of the town of Macon; the President resumed the chair, and Mr. Surrency reported disagreement to the bill.

The Senate took up and agreed to the report.

The Senate resolved itself into a committee of the whole on the bill for the relief of Julia Ann Miller, Mr. Tennille in the chair, the President resumed the chair, and the bill was reported without amendment.

The Senate took up, amended and agreed to the report, the bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill for the relief of the citizens of Talbot county, Mr. White in the chair; the President resumed the chair, and the bill was reported with amendment.

The Senate took up and agreed to the report—the bill was read the third time and rejected.

Mr. Brown, of Camden, from the committee on Enrolment, reported as duly enrolled and signed by the Speaker of the House of Representatives, an act for the pardon of Isaiah Gaines of Hall county.

Which was presented to and signed by the President of the Senate.

Ordered, that the committee on enrolment take said act to the Governor for his assent.

The Senate adjourned until 3 o'clock P. M.

3 O'CLOCK, P. M. 5th December, 1831.

The Senate met pursuant to adjournment.

The message of the House of Representatives of this morning, was taken up, and the bills therein read the first time.

The following bills of the House of Representatives were read a second time and ordered for a third reading :

A bill to separate and divorce Lucinda Strange and Colman Strange, her husband.

A bill to manumit and set free from slavery, Sophia, a person of color, the property of Eli Fenn, and to give her a name.

A bill to separate and divorce Sally Smith from Washington Smith, her husband.

A bill to alter and amend the 38th section of an act to revise and consolidate the militia laws of this State, and to repeal the cavalry laws now in force, passed December 19th. 1818, so far as respects the appointment of Judge Advocates.

A bill to separate and divorce William Brannon and Elizabeth Brannon, his wife.

A bill to authorise the clerks, sheriffs, and other officers of the county of DeKalb, to insert their advertisements in one of the gazettes published at Milledgeville.

A bill to separate and divorce John Canning and Elizabeth Canning, his wife.

A bill to alter and fix the time for holding the Inferior courts in the counties of Stewart and Randolph.

A bill to separate and divorce Fanny Thompson and Richard G. Thompson, her husband.

A bill to separate and divorce Theophilus Gailor and Mary Gailor, his wife.

A bill to alter and fix the time of holding the Summer session of the Superior court of Wilkes county.

A bill to incorporate a volunteer company in the town of Washington, Wilkes county, to be known by the name of the Washington Guard.

A bill to separate and divorce Mariah Augustine and John T. Augustine, her husband.

A bill to separate and divorce John Waldrup and Cynthia Waldrup, his wife—And

A bill to alter and change the name of Thomas Kettle to the name of Thomas Young—to sanction the use heretofore by the said Thomas Kettle of the name of Thomas Young, in contracts made by and with him, and for other purposes.

The following bills of the House of Representatives were read a second time, and ordered for a committee of the whole :

A bill to provide for the recovery of cost in Justices' courts, in certain cases.

A bill to alter and amend the fourth section of an act assented to 22d December, 1830, to authorize the survey and disposition of lands within the limits of Georgia, in the occupancy of the Cherokee tribe of Indians, &c.

A bill to alter and amend the road laws, so far as respects the county of Emanuel.

A bill to alter and amend the road laws of this State, so far as respects the county of Dooly.

A bill to authorise the Intendant and Commissioners of the town of Columbus, to lay off and lease water lots in said town below Thomas street, for any number of years not exceeding 20, for wharves only.

A bill to amend the Judiciary laws of 1799, in relation to bail, and also to amend an act, entitled an act, to amend the Judiciary laws of this State, passed the 16th day of February, in the year 1799, so far to authorize the issuing of bail process in certain cases, passed the 8th November, 1820, so as to authorize agents, attorneys in fact, or at law, to hold to bail in all civil cases.

A bill to make permanent the site of the public buildings in the town of Lumpkin, in the county of Stewart.

A bill to alter and amend the several acts passed to prevent the obstructions to the free passage of fish in the Ocmulgee river and its branches, in the years 1821, 1824, and 1829; also for the better regulation of fishing with seines in said river and its branches.

A bill to reduce the salaries of the public officers of this State.

A bill to alter and fix the time to hold the Inferior court of Butts county.

A bill to prevent itinerant or unauthorized persons from locating themselves on or near the river Savannah, under the pretence of fishing, and to prevent obstructions to the passage of fish up the said river, and further to prohibit the trading with slaves, and to extend the powers of civil officers and patrols.

The Senator from McIntosh was added to the committee on public education and free schools, upon the motion of the Senator from Lincoln.

The communication received this morning from the Surveyor General was, on motion of Mr. Harlow, referred to the Judiciary committee.

The Senate then adjourned until half past 9 o'clock, to-morrow morning.



*TUESDAY, 6th December, 1831.*

On motion of Mr. Echols of Coweta,

To reconsider so much of the journal of yesterday as relates to the passage of the bill, to amend in part the 9th section of an act to establish a bank at Milledgeville, to be called and known by the name and style of the Central Bank of Georgia, to appropriate money, bank stock, and other securities, to form the capital stock of said bank, and to incorporate the same, so far as regards the salary of the Cashier of said bank, it was determined in the negative, and

The yeas and nays being required, are yeas 23, nays 41.

Those in the affirmative are, messrs.

Anderson	Ector	McDonagald
Black	Faris	Parrish
Blackstone	Graham	Thomas of Appling
Bowen	Groves	Ware
Cargille	Henly	White
Dunagan	Hines	Williams
Echols of Coweta	Johnson	Woolfolk
Echols of Walton	McAllister	

Those in the negative are, messrs.

Allep	Dean	Singleton
Avery	Devereux	Spann
Baber	Fullwood	Stapleton
Bailey	Hall	St. George
Baker	Harlow	Surrency
Boykin	Mealing	Swain
Branham	Mercer	Thomas of Lee
Brown of Camden	Mitchell	Temples
Brown of Monroe	Mobley	Tennille
Burch	Muncrief	Towns
Cleveland	Neel	Waldhauer
Cone	Prior	Wells
Coxe	Ray	Wood
Daniell	Sheffield	

On motion of Mr. Woolfolk,

To reconsider so much of the journal of yesterday as relates to the rejection of the bill for the relief of the citizens of Talbot county, it was determined in the negative.

Mr. Wood presented an extract from the presentments of the grand jury of McIntosh county, relating to the free colored population of said county,

Which was read and referred to the joint committee on the State of the Republic.

Mr. Anderson from the joint military committee, to whom was referred so much of the Governor's communication as relates to the condition of the militia, made a report; and also reported a bill to provide for the improvement of the militia system of the State of Georgia.

Which was read and ordered to be printed.

Mr. Branham from the joint committee on banks, to whom was referred the annual reports of the Bank of Augusta, Planters' Bank, Bank of Columbus, Merchants' and Planters' Bank, and Bank of Macon, made reports on the state and condition of said Banks.

Which were read and ordered to lie on the table.

Mr. Black from the committee appointed, reported a bill to add a part of the counties of DeKalb and Fayette to the county of Campbell.

Which was read the first time.

Mr. Towns had leave to report instantly, a bill to repeal in part an act passed 26th March, 1767, entitled an act for the limitation of actions, and for avoiding suits in law, and to repeal all other laws, or parts of laws now in force in this State, declaring the persons of another State, or beyond seas, exempt from the operation of the statutes of limitations.

Which was read the first time.

Mr. Brown of Camden, had leave to report instantly, a bill to regulate the town of Jefferson in the county of Camden.

Which was read the first time.

On motion of Mr. Branham,

The honorable Senators from the counties of Talbot and Chatham, were added to the committee on Privileges and Elections.

On motion of Mr. Woolfolk,

The reconsidered bill for the relief of Thomas G. Gordon, was recommitted.

The reconsidered bill to divorce and separate Nathaniel Perritt and his wife Sally Perritt, was read the third time, and on the question shall this bill now pass?

The yeas and nays being required, are yeas 43, nays 22.

Those in the affirmative are, messrs.

Allen  
Avery  
Baber

Bailey  
Black  
Bowen

Brown of Camden  
Brown of Monroe  
Burch

Cargille	Henly	Stapleton
Cleveland	Hines	Stewart
Coxe	Johnson	Swain
Dean	McAllister	Thomas of Appling
Devereux	McDougald	Temples
Echols of Coweta	Miller	Tennille
Echols of Walton	Mitchell	Towns
Ector	Parrish	Ware
Faris	Prior	Williams
Graham	Ray	Wood
Hall	Spann	Woolfolk
Harlow		

Those in the negative are, messrs.

Anderson	Groves	Singleton
Baker	Mealing	St. George
Blackstone	Mercer	Surrency
Boykin	Mobley	Thomas of Lee
Branham	Muncrief	Waldhauer
Cone	Neel	Wells
Dunagan	Sheffield	White
Fullwood		

The President voted in the affirmative, and the bill passed by a constitutional majority.

The re-considered bill to incorporate a Bank in the town of Macon, on the East side of the river, to be called the Planters' Bank of Macon,

Was ordered to lie on the table till called up.

The Senate took up the report on the bill for the relief of Moses Coxe,

Which was read and ordered to lie on the table for the present.

On motion of Mr. Anderson,

To lay on the table for the balance of the session, the report on the bill to create and form a new Judicial circuit out of the Southern and Chattahoochee circuits, it was determined in the negative; and

The yeas and nays being required, are yeas 33, nays 35.

Those in the affirmative are, messrs.

Anderson	Dean	Groves
Black	Dunagan	Hall
Blackstone	Echols of Coweta	Henly
Rowen	Echols of Walton	Johnson
Burch	Ector	Mobley
Cargille	Faris	Parrish
Cleveland	Fullwood	Prior
Coxe	Graham	Singleton

Spann  
Stewart  
Swain

Tennille  
Towns  
Ware

Wells  
Wofford  
Wood

Those in the negative are, messrs.

Allen  
Avery  
Baber  
Bailey  
Baker  
Boykin  
Branham  
Brown of Camden  
Brown of Monroe  
Coxe  
Daniell  
Devereux

Everett  
Harlow  
Hines  
McAllister  
McDougald  
Mealing  
Mercer  
Miller  
Mitchell  
Muncrief  
Neel

Ray  
Sheffield  
Stapleton  
St. George  
Surrency  
Thomas of Lee  
Temples  
Waldhauer  
White  
Williams  
Woolfolk

Mr. Woolfolk submitted a substitute to the whole bill, which being read,

On motion of Mr. Wofford,

To lay the original report and substitute on the table until the first day of June next, it was determined in the affirmative, and the yeas and nays being required, are, yeas 35—nays 33.

Those in the affirmative are, messrs.

Anderson  
Black  
Blackstone  
Bowen  
Burch  
Cargille  
Cleveland  
Cone  
Dean  
Dunagan  
Echols of Coweta  
Echols of Walton

Ector  
Everett  
Faris  
Fullwood  
Graham  
Groves  
Hall  
Henly  
Johnson  
Mobley  
Parrish  
Prior

Singleton  
Spann  
Stewart  
Swain  
Temples  
Tennille  
Towns  
Ware  
Wells  
Wofford  
Wood

Those in the negative are, messrs.

Allen  
Avery  
Baber  
Bailey  
Baker  
Boykin  
Branham  
Brown of Camden  
Brown of Monroe

Coxe  
Daniell  
Devereux  
Harlow  
Hines  
McAllister  
McDougald  
Mealing  
Mercer

Miller  
Mitchell  
Muncrief  
Neel  
Ray  
Sheffield  
Stapleton  
St. George  
Surrency

Thomas of Appling  
Thomas of Lee

Waldhauer  
White

Williams  
Woolfolk

The bill to vest in the Intendant and Commissioners of the town of Columbus, and their successors, the controul of the public hands in that vicinity.

The bill to provide for compensating Grand and Petit Jurors of this State ; and

The bill to add a part of Wayne county to the county of Glynn.

Were severally ordered to lie on the table until called up.

The Senate took up and agreed to the report on the bill to grant relief and indulgence to the purchasers of public lands.

The bill was read the third time,

And on the passing thereof, the yeas and nays were, on motion of Mr. Branham, required to be recorded, when it was determined in the affirmative.

The yeas are 35—the nays 29.

Those in the affirmative are, messrs.

Allen	Echols of Walton	Spaun
Anderson	Ector	Swain
Bailey	Everett	Thomas of Lee
Baker	Graham	Temples
Black	Groves	Tennille
Blackstone	Johnson	Towns
Bowen	McDougald	Ware
Brown of Camden	Mobley	White
Brown of Monroe	Neel	Williams
Burch	Parrish	Wood
Cargille	Prior	Woolfolk
Echols of Coweta	Singleton	

Those in the negative are, messrs.

Baker	Faris	Munerief
Boykin	Fullwood	Ray
Branham	Hall	Sheffield
Cleveland	Harlow	Stewart
Cone	Henly	St. George
Coxe	Hines	Surreney
Daniell	McAllister	Thomas of Appling
Dean	Mealing	Wells
Devereux	Mercer	Wofford
Dunagan	Mitchell	

The bill to establish an additional election district in the county of Rabun ; and

The bill making all cases returnable at the last Superior court for November term in the county of Thomas, stand for trial at the next Superior court for said county,

Were read a second time, and ordered for a third reading.

The following bills were read a second time, and ordered for a committee of the whole :

A bill to organize a volunteer company of Cavalry, to be known and incorporated under the name of the Glynn county Huzzars, and to supply the same with arms.

A bill further to amend an act entitled an act to incorporate the Bank of the State of Georgia, passed the 16th Dec. 1815.

A bill for the relief of William Gilleland, jr. tax collector of Fayette county, for the year 1828; and

A bill to amend and consolidate the several acts which have been passed in relation to the powers and privileges of the corporation of the town of Macon, and the common thereof, and for the purposes therein mentioned.

The Senate resolved itself into committee of the whole, on the bill to return such public lands as were originally purchased for the use of the river Altamaha, to the opening of a wagon road from Darien to Macon and Milledgeville, Mr. Wofford in the Chair; the President resumed the Chair, and the bill was reported with amendment.

The Senate took up, amended and agreed to the report.

The bill was read the third time, and on its passage the yeas and nays were required, when it was determined in the affirmative.

The yeas are 49—the nays are 12.

Those in the affirmative are, messrs.

Allen	Echols of Walton	Ray
Anderson	Ector	Sheffield
Avery	Everett	Singleton
Baker	Folsom	Spann
Blackstone	Fullwood	Stapleton
Bowen	Groves	Stewart
Boykin	Hall	St. George
Brown of Camden	Harlow	Surreney
Brown of Monroe	Henly	Swain
Burch	Hines	Thomas of Appling
Cargille	Johnson	Waldhauer
Cleveland	McAllister	Ware
Cone	Mitchell	Wells
Daniell	Mobley	Williams
Dean	Parrish	Wofford
Dunagan	Prior	Wood
Echols of Coweta		

Those in the negative are, messrs.

Baber	Devereux	Mercer
Branham	Graham	Muncrief
Coxe	Mealing	Neel

Thomas of Lee  
Temples

Tennille

White

The Senate adjourned until 1-2 past 9 o'clock to-morrow morning.

**WEDNESDAY, 7th Dec. 1831.**

On motion of Mr. Woolfolk,

To re-consider so much of the Journal of yesterday, relative to laying the original report and substitute thereto, (on the bill to create and form a new Judicial circuit out of the Southern and Chattahoochee circuits,) on the table until the first day of June next;

The yeas and nays being required, it was decided in the negative.

The yeas are 32—the nays are 34.

Those in the affirmative are, messrs.

Allen	Loyall	Sheffield
Baber	McAllister	Stapleton
Bailey	McDougald	St. George
Boykin	Mealing	Surrency
Branham	Mercer	Thomas of Appling
Brown of Camden	Miller	Thomas of Lee
Brown of Monroe	Mitchell	Waldhauer
Daniell	Muncrief	White
Devereux	Neel	Williams
Harlow	Nisbet	Woolfolk
Hines	Ray	

Those in the negative are, messrs.

Anderson	Echols of Coweta	Johnson
Black	Echols of Walton	Mobley
Bowen	Ector	Parrish
Burch	Faris	Prior
Cargille	Fullwood	Singleton
Cleveland	Graham	Smith
Cone	Groves	Spann
Dean	Hall	Stewart
Dunagan	Henly	Swain

Temple  
Tennille  
Towns

Ware  
Wells

Wofford  
Wood

Mr. Daniell had leave to introduce, *instantly*, a bill to authorize the Judge of the court of Common Pleas, and Oyer and Terminer for the city of Savannah, to hold special or extraordinary courts for the summary trial of cases therein enumerated, and to empower the Mayor of the city of Savannah, also to hold such special or extraordinary courts, and to regulate seamen or mariners and to prevent them from being harbored or running in debt.

Which was read the first time.

Mr. Towns had leave to report *instantly*, a bill to establish an additional election district in the county of Talbot.

Which was read the first time.

Mr. Muncie had leave to report *instantly*, a bill to authorize the Trustees of the Warrenton Academy in Warren county, to raise by lottery the sum of three thousand dollars, for the benefit of said Academy.

Which was read the first time.

Mr. Boykin from the committee to whom was referred the petition of Augustin Harris of Baldwin county—reported

A bill for the relief of Augustin Harris ; and

Mr. Boykin had leave to introduce *instantly*, a bill to regulate slaves in the town of Milledgeville, and to punish their owners or managers in certain cases.

Which were severally read the first time.

Mr. Prior presented a petition signed by Evans Shannon, praying compensation for loss of time sustained by reason of Indian obstructions, to the survey of the 2d division of the 4th section of the Cherokee lands.

Which was read and referred to the committee on petitions.

On motion,

The honorable Senator from the county of Burke, was added to the committee on Agriculture and Internal Improvement.

Mr. Neel notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to change the time of the sitting of the Superior court of the Southern circuit, so far as respects the counties of Lowndes, Thomas, Decatur and Early.

Mr. Ware notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to add a part of Carroll county to Heard county.



The Senate took up the report of the committee of the whole, on the bill to add a part of Wayne county to the county of Glynn.

Mr. Cleveland proposed the following amendment to the report :

"That from and after the passage of this act all that portion of land formerly known as the county of Wayne, be and the same is hereby attached to the county of Glynn."

*"And be it further enacted,* That the present Court-House, near the Mineral Spring, in what was formerly Wayne county be, and the same is hereby declared to be the county site and seat of justice for the amalgamated counties of Wayne and Glynn."

Mr. Mobley offered the following as an additional amendment to the report :

*"And be it further enacted,* That the first district of Irwin be, and the same is hereby added to the county of Telfair."

Mr. Stewart moved the previous question ; and the question being asked by the President, shall the main question be now put ? the same was decided in the affirmative.

The report was then agreed to.

The bill was read the 3d time, and on its passage, the yeas and nays were required, and it was determined in the negative.

The yeas are 22—the nays are 45.

Those in the affirmative are, messrs.

Anderson	Everett	Stewart
Black	Groves	Swain
Blackstone	Henly	Temples
Burch	Mobley	Tennille
Cargille	Prior	Towns
Cleveland	Smith	Ware
Cone	Spann	Wood
Echols of Walton		

Those in the negative are, messrs.

Allen	Daniell	Johnson
Avery	Dean	McAllister
Baber	Devereux	McDougald
Bailey	Dunagan	Mealing
Baker	Echols of Coweta	Mercer
Bowen	Ector	Mitchell
Boykin	Faris	Muncrief
Branham	Fullwood	Neel
Brown of Camden	Hall	Nisbet
Brown of Monroe	Harlow	Parrish
Coxe	Hines	Ray

Sheffield	Surrency	Wells
Singleton	Thomas of Appling	White
Stapleton	Thomas of Lee	Williams
St. George	Waldhauer	Woolfolk

The Senate again resolved itself into a committee of the whole, mr. Wood in the Chair, on the bill to alter and amend an act to impose an additional tax on pedlers and other itinerant traders, passed the 9th December 1824; and having spent some time therein, the President resumed the Chair, and the bill was reported with amendment, *by way of substitute*.

The Senate took up and agreed to the report;

The bill was then read the third time under the caption of a bill to alter and amend an act to impose an additional tax on pedlers and other itinerant traders, passed 9th Dec. 1824; and to punish such traders for illegal trading with slaves;

And on the question being put, shall the bill now pass?

The yeas and nays were required, and it was decided in the affirmative.

The yeas are 39—the nays are 27.

Those in the affirmative are, messrs.

Allen	Devereux	Sheffield
Avery	Harlow	Singleton
Baber	Henly	Spann
Bailey	Hines	Stapleton
Baker	Loyall	Stewart
Boykin	McAllister	St. George
Branham	Mealing	Surrency
Brown of Camden	Mitchell	Thomas of Appling
Brown of Monroe	Mobley	Thomas of Lee
Cone	Muncrief	Townes
Coxe	Neel	Waldhauer
Daniell	Nisbet	Williams
Dean	Ray	Wofford

Those in the negative are, messrs.

Anderson	Ector	Parrish
Black	Faris	Prior
Blackstone	Fullwood	Smith
Bowen	Graham	Swain
Burch	Groves	Temples
Cargille	Hall	Tennille
Cleveland	Johnson	Ware
Dunagan	Mercer	Wells
Echols of Coweta	Miller	White
Echols of Walton		

The bill to establish an additional election district in the county of Rabun; and

The bill making all cases returned at the last superior court for November term in the county of Thomas, stand for trial at the next superior court for said county,

Were read the third time and passed.

The bill to add a part of the counties of DeKalb and Fayette to the county of Campbell,

Was ordered to lie upon the table for the remainder of the session.

The bill to regulate the town of Jefferson in the county of Camden,

Was read a second time and ordered for a third reading.

The bill to repeal in part an act passed 26th March, 1767, for the limitations of actions, and for avoiding suits in law, and to repeal all other laws or parts of laws now in force in this State, declaring the persons of another State, or beyond seas, exempt from the operation of the statute of limitations,

Was read the second time and ordered for committee of the whole.

The Senate resolved itself into a committee of the whole, Mr. Avery in the Chair, on the bill to define the powers of the courts of Law and Equity in this State, to punish for contempt of court; and having spent some time therein, the President resumed the Chair, and the bill was reported with amendment.

Ordered, That the report be the order of the day of to-morrow.

The bill to abolish Penitentiary confinement in this State, except in certain cases, and for other purposes therein specified,

Was made the order of the day for Friday next.

The Senate resolved itself into a committee of the whole, Mr. Bailey in the Chair, on the bill to raise a permanent fund for the support of common schools in the State of Georgia; and having spent sometime therein, the President resumed the Chair, and Mr. Bailey reported progress and obtained leave to sit again on to-morrow.

A message was received from the House of Representatives, by Mr. Dawson their Clerk, notifying the Senate that the House of Representatives had passed,

A bill to alter and amend an act to authorise the survey and disposition of the lands within the limits of Georgia, in the occupancy of the Cherokee tribe of Indians, and all other unlocated lands within the limits of said State, claimed as Creek land, and to authorise the Governor to call out a military force to protect Surveyors in the discharge of their duties, and to provide for the punishment of

persons who may prevent or attempt to prevent any surveyor from performing his duties as pointed out by this act, or who shall wilfully cut down and deface any marked trees, or remove any land mark which may be made in pursuance of this act; and to protect the Indians in the peaceable possession of their improvements and of the lots on which they may be situated, and to order the immediate survey, distribution and occupancy of the territory aforesaid.

The Senate resolved itself into a committee of the whole, Mr. Blackstone in the Chair, on the bill to make null and void all contracts made and entered into in writing or otherwise, between party or parties plaintiff or defendant, and attorney or attorneys at law, where the said attorney or attorneys shall fail to attend to the suit or suits, which he or they contracted to do, until the rendition of a judgment; and having spent some time therein, the President resumed the Chair, and the bill was reported without amendment.

Ordered, That the report lie upon the table for the present.

The Senate resolved itself into a committee of the whole, Mr. Bowen in the Chair, on the bill providing for the alternation of the Judges of the superior courts of this State, with each other; and having spent some time therein, the President resumed the Chair, and the bill was reported with amendment.

The Senate took up the report by sections.

The first section having been read,

Mr. Nisbet proposed to amend the same by exempting the Judge and people of the Ocmulgee circuit, from the operation thereof.

Mr. Ector also proposed an amendment exempting the county of Meriwether,—when

Mr. Henly moved the previous question,

And the same not having been sustained, further amendments were offered to exempt different circuits and counties.

Mr. Nisbet then moved that the report and several amendments, lie upon the table until the last day of the session.

The yeas and nays were required to be recorded, and it was determined in the affirmative.

The yeas are 36—the nays are 33.

Those in the affirmative are, messrs.

Allen	Burch	McDougald
Avery	Cone	Mealing
Baber	Coxe	Mercer
Bailey	Daniell	Miller
Baker	Hall	Mitchell
Boykin	Harlow	Mobley
Branham	Hines	Mumcrief
Brown of Camden	Loyall	Neel
Brown of Monroe	McAllister	Nisbet

Ray  
Sheffield  
Stapleton

Surrey  
Thomas of Appling  
Waldhauer

Wells  
White  
Williams

Those in the negative are, messrs.

Anderson  
Black  
Blackstone  
Bowen  
Cargille  
Cleveland  
Dean  
Devereux  
Dunagan  
Echols of Coweta  
Echols of Walton

Ector  
Everett  
Faris  
Fullwood  
Graham  
Groves  
Henly  
Johnson  
Parrish  
Prior  
Singleton

Smith  
Spann  
Stewart  
St. George  
Swain  
Temples  
Tennille  
Towns  
Ware  
Wofford  
Wood

The Senate resolved itself into a committee of the whole, Mr. Boykin in the Chair, on the bill to add the county of Houston to the Southern circuit, and to alter the times of holding the Superior and Inferior courts in said county ; and having spent some time therein, the President resumed the Chair, and the bill was reported without amendment.

**E.**

The Senate took up and agreed to the report.

The bill was read the third time, and on the question being put, shall this bill now pass ?

The yeas and nays being required, and it was decided in the affirmative.

The yeas are 35—the nays are 33.

Those in the affirmative are, messrs.

Anderson  
Black  
Blackstone  
Bowen  
Brown of Camden  
Burch  
Cargille  
Cleveland  
Cone  
Dean  
Dunagan  
Echols of Walton

Ector  
Everett  
Faris  
Fullwood  
Graham  
Groves  
Hall  
Henly  
Johnson  
Mobley  
Parrish  
Prior

Singleton  
Smith  
Spann  
Stewart  
Swain  
Temples  
Tennille  
Towns  
Ware  
Wofford  
Wood

Those in the negative are, messrs.

Allen  
Avery  
Baber

Bailey  
Baker  
Boykin

Branham  
Brown of Monroe  
Coxe

Daniell	Mercer	Stapleton
Devereux	Miller	St. George
Echols of Coweta	Mitchell	Surrency
Harlow	Muncrief	Thomas of Appling
Hines	Neel	Waldhauer
McAllister	Nisbet	Wells
McDougald	Ray	White
Mealing	Sheffield	Williams

The Senate resolved itself into a committee of the whole, Mr. Branham in the Chair, on the bill to require all the chartered Banks of this State, to redeem their bills or notes with specie, upon presentation and demand of specie ; and having spent some time therein, the President resumed the Chair, and Mr. Branham reported progress and asked leave to sit again.

The Senate took up and agreed to the report.

The Senate adjourned until 1-2 past 9 o'clock to-morrow morning.

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#### THURSDAY, *Sth.* Dec. 1831.

On motion by Mr. Ector,

To reconsider so much of the Journal of yesterday, relative to the passage by the Senate, of the bill to alter and amend an act imposing an additional tax on Pedlars and other itinerant traders, passed 9th Dec. 1824, and to punish such traders for illegal trading with slaves.

The yeas and nays were required to be recorded, and the motion for reconsideration was negatived.

The yeas are 27—the nays are 40.

Those in the affirmative are, messrs.

Anderson	Echols of Coweta	Groves
Black	Echols of Walton	Hall
Blackstone	Ector	Johnson
Burch	Everett	Miller
Cargille	Faris	Parrish
Cleveland	Fullwood	Singleton
Dunagan	Graham	Smith

Spain  
Temples

Tennille  
Ware

Wells  
Wood

Those in the negative are, messrs.

Allen  
Avery  
Baker  
Bailey  
Baker  
Boykin  
Brigham  
Brown of Camden  
Brown of Monroe  
Cone  
Coxe  
Daniell  
Dean  
Devereux

Harlow  
Henly  
Hines  
Loyall  
McAllister  
McDougald  
Mealing  
Mitchell  
Mobley  
Muncieff  
Neel  
Nisbet  
Ray

Sheffield  
Stapleton  
Stewart  
St. George  
Surrency  
Thomas of Appling  
Thomas of Lee  
Towns  
Waldhauer  
White  
Williams  
Woolfolk  
Wooten

Agreeably to notice, Mr. Neel moved for the appointment of a committee to prepare and report a bill to change the time of the sitting of the Superior courts of the Southern circuit; so far as respects the counties of Lowndes, Thomas, Decatur and Early.

Ordered, that messrs. Neel, Ray and Spann, be that committee.

Agreeably to notice, Mr. Ware moved for the appointment of a committee to prepare and report a bill to add part of Carroll county to Heard county.

Ordered, that messrs. Ware, Bowen and Cleveland, be that committee.

On motion,

Leave of absence for a few days, was granted to the honorable Senator from the county of Carroll; and

Leave was also granted to the honorable Senator from Gwinnett county, after this day, for to-morrow only.

On motion,

The honorable Senator of Baldwin was added to the committee on Finance; and the honorable Senator from McIntosh, to the committee on Banks.

Mr. Harlow, chairman of the committee on the State of the Republic, notified the Senate, that the joint committee on the State of the Republic had instructed him to make a report upon so much of his Excellency the Governor's communication, referred to the committee, as relates to the enforcement of the law making it penal, under certain restrictions, for white persons to reside within the limits of the Cherokee nation, together with the documents in relation to that subject.

Mr. Harlow submitted accordingly a report thereupon, which was read and ordered to lie upon the table for the present; and

The committee on Printing directed to have printed, 500 copies of said report, for the use of the members of the Legislature.

Mr. Harlow, in obedience to the instructions of the committee on the state of the Union, further reported the following:

The committee to whom was referred the correspondence between the Executive Department of this State, and the Secretary of War, with regard to the condition of the Creek Indians, beg leave to report, that while they approve the policy of the General Government in relation to these people, the subject is not one which can properly come before the General Assembly of this State, in as much as they are not within the jurisdiction of this State, and consequently not within its protection---and beg to be dismissed from the further consideration of the subject.

Which was read and agreed to.

Mr. Towns from the committee appointed, reported a bill to incorporate the Oak Ridge Academy in Talbot county, and appoint trustees for the same.

Which was read the first time.

Mr. Faris from the committee appointed, reported a bill to change the mode of electing the Judges of the Superior courts in this State, and to authorize the election of said Judges by the people in the several Judicial circuits.

Which was read the first time.

Mr. Wood, Chairman of the committee on Privileges and Elections notified, the Senate that the committee on Privileges and Elections had instructed him to make the following report:

The committee on Privileges and Elections, to whom was referred the contested election for Decatur county, having examined all the testimony, have come to the following result, and respectfully, report:

That David Culbreth, Robert M'Creless & Daniel M'Swain gave in illegal votes for Daniel O. Neel; and that Isaiah Dykes, Peter F. Sparkman and Patrick Giddens, gave in illegal votes for William Hawthorn; they therefore recommend the following resolution:

*Resolved*, that Daniel O. Neel, Esquire, has been duly elected Senator from Decatur county, and is therefore entitled to retain his seat.

Which report having been read,

Mr. Wood offered as a substitute therefor, the following:

The committee on Privileges and Elections, to whom was referred the contested election from Decatur county, have had all the evidence under consideration, from which it appears that William



Hawthorn, Esquire, has been duly elected : They, therefore beg leave to offer the following resolution :

*Resolved*, that William Hawthorn, Esq. has been duly elected Senator for Decatur county, and as such, he be admitted to take his seat,

Which was read.

On motion,

The Senate then proceeded to examine and determine upon the evidence submitted before the committee on Privileges and Elections by Mr. Hawthorn, in relation the Poll of the honorable Daniel O. Neel, the sitting member for Decatur county. The affidavits of David Culbreth, and others, relative to the vote of said Culbreth, were read, and

On motion by Mr. Wood, the same was stricken from the Poll of the sitting member.

The vote of Robert McCreless was retained.

The affidavits of David Gray, John H. Gray, and two affidavits of Howell Hearn, relative to the vote of Jonathan Aldridge were read; and an affidavit of Charles F. Betton, relative to Howel Hearn's condition at the time Hearn made the first affidavit, and Hearn's subsequent admissions and conversations, in relation to said affidavit

Some objection having been made to the impropriety of Mr. Betton's affidavit being considered as a part of the testimony in the case, upon the grounds, that the sitting Senator had no notice of the proceeding, and that the affidavit had not been before the committee on Privileges and Elections,

Mr. Wood made an explanation of the manner in which it came before the Senate, and then leave was granted him to withdraw it.

Whereupon, he submitted the following resolution:

*Resolved*, that Charles F. Betton, be permitted to come into the Senate Chamber, and give testimony in relation to the contested election of Decatur county, so that cross questions may be asked.

Mr. Nisbet then proposed thereto, an amendment, "that Mr. Neel have time to procure rebutting testimony."

To which Mr. Wood offered the following amendment—"that the sitting member have not leave to procure further testimony."

Whereupon, Mr. Henly moved the previous question; and the question being asked by the President, shall the main question be now put?

The same was decided in the affirmative by yeas and nays.

The yeas are 36—the nays are 34.

Those in the affirmative are, messrs.

Anderson	Everett	Smith
Black	Faris	Spann
Blackstone	Fullwood	Stewart
Burch	Graham	Swain
Cargille	Groves	Temples
Cleveland	Hall	Tennille
Cone	Henly	Towns
Dean	Johnson	Ware
Dunagan	Mobley	Wells
Echols of Coweta	Parrish	Wofford
Echols of Walton	Prior	Wood
Ector	Singleton	Wooten

Those in the negative are, messrs.

Allen	Harlow	Ray
Avery	Hines	Sheffield
Baber	Loyall	Stapleton
Bailey	McAllister	St. George
Baker	McDougald	Surrency
Boykin	Mealing	Thomas of Appling
Branham	Mercer	Thomas of Lee
Brown of Camden	Miller	Waldhauer
Brown of Monroe	Mitchell	White
Coxe	Muncrief	Williams
Daniell	Nisbet	Woolfolk
Devereux		

The main question was then put, on agreeing to the resolution of mr. Wood, and decided in the negative, by the vote of the President.

On motion by mr. Branham,

That the yeas and nays be taken thereupon, they were called and recorded ; and

Are yeas 35—nays 35.

Those in the affirmative are, messrs.

Anderson	Everett	Smith
Black	Faris	Spann
Blackstone	Fullwood	Stewart
Burch	Graham	Swain
Cargille	Groves	Temples
Cleveland	Hall	Tennille
Cone	Henly	Ware
Dean	Johnson	Wells
Dunagan	Mobley	Wofford
Echols of Coweta	Parrish	Wood
Echols of Walton	Prior	Wooten
Ector	Singleton	

Those in the negative are, messrs.

Allen	Harlow	Sheffield
Avery	Hines	Stapleton
Baber	Loyall	St. George
Bailey	McAllister	Surrency
Baker	McDougald	Thomas of Appling
Boykin	Mealing	Thomas of Lee
Branham	Mercer	Towns
Brown of Camden	Miller	Waldhauer
Brown of Monroe	Mitchell	White
Coxe	Muncrief	Williams
Daniell	Nisbet	Woolfolk
Devereux	Ray	

The President voted in the negative.

On motion,

The vote of Jonathan Aldridge was then retained, and the votes of Isaiah Dykes, John Cock, and James Moore, were also retained.

The vote of Daniel M. Swain, having been examined—on the question being put, to retain the same for the sitting member,

The yeas and nays were required to be recorded by mr. Echols of Coweta.

The yeas are 34—the nays are 35.

Those in the affirmative are, messrs.

Allen	Harlow	Nisbet
Avery	Henly	Sheffield
Baber	Hines	Stapleton
Bailey	Loyall	St. George
Baker	McAllister	Surrency
Boykin	McDougald	Thomas of Appling
Branham	Mealing	Thomas of Lee
Brown of Camden	Mercer	Waldhauer
Brown of Monroe	Miller	White
Coxe	Mitchell	Williams
Daniell	Muncrief	Woolfolk
Devereux		

Those in the negative are, messrs.

Anderson	Dunagan	Groves
Black	Echols of Coweta	Hall
Blackstone	Echols of Walton	Johnson
Burch	Ector	Mobley
Cargille	Everett	Parrish
Cleveland	Faris	Prior
Cone	Fullwood	Ray
Dean	Graham	Smith

Spanu	Tennille	Wofford
Stewart	Towns	Wood
Swain	Ware	Wooten
Temples	Wells	

The President voted in the affirmative, thereby, causing a tie, and the vote of Daniel M. Swain was declared to be retained accordingly.

The votes of Putnam Hardens, Julian Davis and Josiah Robertson, were retained on the poll of the sitting member.

On motion by Wood, that the Senate do now adjourn,  
The yeas and nays were required thereupon, by Mr. Echols of Walton; and the motion was negatived.  
The yeas are 27—the nays are 40.

Those in the affirmative are, messrs.

Anderson	Everett	Swain
Black	Faris	Temples
Blackstone	Fullwood	Tennille
Burch	Graham	Towns
Cargille	Groves	Ware
Dean	Johnson	Wells
Dunagan	Mobley	Wofford
Echols of Walton	Parrish	Wood
Ector	Smith	Wooten

Those in the negative are, messrs.

Allen	Hall	Nisbet
Avery	Harlow	Prior
Baber	Henly	Ray
Bailey	Hines	Sheffield
Baker	Loyall	Spann
Boykin	McAllister	Stapleton
Branham	McDougald	St. George
Brown of Camden	Mealing	Surreney
Brown of Monroe	Mercer	Thomas of Appling
Cone	Miller	Waldhauer
Coxe	Mitchell	White
Daniell	Muncrief	Williams
Devereux	Neel	Woolfolk
Echols of Coweta		

The vote of John Robertson, being under consideration—Mr. Echols of Walton, moved to strike the same from the poll of the sitting member—the motion prevailed; and

Mr. Tennille required the yeas and nays to be recorded.

The yeas are 63—the nays are 3.

Those in the affirmative are, messrs.

Allen	Echols of Walton	Parrish
Anderson	Everett	Prior
Avery	Faris	Ray
Baber	Fullwood	Sheffield
Bailey	Graham	Spann
Baker	Groves	Stapleton
Black	Hall	St. George
Blackstone	Harlow	Surrency
Boykin	Henly	Swain
Branham	Hines	Thomas of Appling
Brown of Camden	Johnson	Thomas of Lee
Brown of Monroe	Loyall	Temples
Burch	McAllister	Tennille
Cargille	McDougald	Waldhauer
Cone	Mealing	Ware
Coxe	Mercer	White
Daniell	Miller	Williams
Dean	Mitchell	Wofford
Devereux	Mobley	Wood
Dunagan	Muncrief	Woolfolk
Echols of Coweta	Nisbet	Wooten

Those in the negative are, messrs.

Ector	Towns	Wells
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The vote of Lewis M. Swain, was retained for the sitting member.

The Senate having gone through with the examination of the testimony of mr. Hawthorn, as to the votes alleged to have been illegally given for the sitting member at the election in October last—they proceeded to examine the evidence and scrutinize the poll of William Hawthorn, the individual contesting the seat of the sitting Senator

The vote of Patrick Giddens in favor of William Hawthorn, being under consideration,

On motion, that the same be stricken from his poll,  
The yeas and nays were required, and it was decided in the negative.

The yeas are 32—the nays are 34.

Those in the affirmative are, messrs.

Allen	Bailey	Branham
Avery	Baker	Brown of Monroe
Baber	Boykin	Bryan

Coxe	Miller	Surrency
Daniell	Mitchell	Thomas of Appling
Devereux	Muncrief	Thomas of Lee
Harlow	Nisbet	Waldhauer
Hines	Ray	White
McAllister	Sheffield	Williams
Mealing	Stapleton	Woolfolk
Mercer	St. George	

Those in the negative are, messrs.

Anderson	Everett	Smith
Black	Faris	Spann
Blackstone	Fullwood	Swain
Brown of Camden	Graham	Temples
Cargille	Groves	Tennille
Cleveland	Hall	Towns
Cone	Henly	Ware
Dean	Johnson	Wells
Dunagan	Mobley	Wofford
Echols of Coweta	Parrish	Wood
Echols of Walton	Prior	Wooten
Ector		

So the vote was retained.

The vote of Peter Sparkman was stricken from the poll of mr. Hawthorn.

On motion of Mr. McDougald,

To lay the original report, and substitute, and documents on the table for the present,

The yeas and nays were required to be recorded, by mr. McDougald, and the motion was decided in the affirmative.

The yeas are 37—the nays are 29.

Those in the affirmative are, messrs.

Anderson	Echols of Walton	Ray
Baber	Everett	Sheffield
Black	Graham	Spann
Blackstone	Groves	Swain
Boykin	McAllister	Thomas of Appling
Braaham	McDougald	Towns
Brown of Mouroe	Miller	Ware
Bryan	Mitchell	Wells
Cargille	Mobley	Williams
Cone	Muncrief	Wofford
Coxe	Nisbet	Wood
Daniell	Parrish	Woolfolk
Dunagan		

Those in the negative are, messrs.

Allen	Faris	Smith
Avery	Fullwood	Stapleton
Bailey	Hall	St. George
Baker	Harlow	Surrency
Brown of Camden	Henly	Thomas of Lee
Cleveland	Hines	Temples
Dean	Johnson	Tennille
Devereux	Mealing	Waldhauer
Echols of Coweta	Mercer	White
Ector	Prior	Wooten

The Senate then adjourned until half past 9 o'clock, to-morrow morning.

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**FRIDAY, December 9, 1831.**

On motion by mr. Towns,

To reconsider so much of the Journal of yesterday, relative to the Senates retaining the vote of Daniel M. Swain, for the poll of the sitting Senator, from the county of Decatur.

The yeas and nays were required, and it was decided in the affirmative.

The yeas are 36—the nays are 33.

Those in the affirmative are, messrs.

Anderson	Ector	Smith
Black	Faris	Spann
Blackstone	Fullwood	Stewart
Brown of Camden	Graham	Swain
Burch	Groves	Temples
Cargille	Hall	Tennille
Cleveland	Henly	Towns
Cone	Johnson	Ware
Dean	Mobley	Wells
Dunagan	Parrish	Wofford
Echols of Coweta	Prior	Wood
Echols of Walton	Singleton	Wooten

Those in the negative are, messrs.

Allen	Harlow	Ray
Avery	Hincs	Sheffield
Bailey	Loyall	Stapleton
Baker	McAllister	St. George
Boykin	McDougald	Surrency
Branham	McRae	Thomas of Appling
Brown of Monroe	Mealing	Thomas of Lee
Bryan	Miller	Waldhauer
Coxe	Mitchell	White
Daniell	Muncrief	Williams
Devcreux	Nisbet	Woolfolk

On motion by Mr. Wood,

The Senate reconsidered so much of their Journal of yesterday, relative to the vote of Patrick Giddens being retained for the poll of William Hawthorn, who contests the seat of the sitting Senator from Decatur county.

Mr. Branham, Chairman of the committee on Banks, in obedience to the directions of that joint committee, made reports relative to the Bank of the State of Georgia, the Bank of Darien, the Sayings Bank of Augusta, the Insurance Bank of Augusta, and the Central Bank of Georgia : also a report upon the claims of Seaborn Jones, Esq. for services rendered by him whilst Solicitor General of the Ocmulgee circuit ; which were read.

Mr. Branham then offered a substitute to the report of the committee upon Seaborn Jones' claim, which was read and ordered, together with the original, and the several reports upon the Banks, to lie upon the table for the present.

On motion by Mr. Echols of Walton, to take up the report and substitute thereto, laid on the table yesterday, in the case of the contested election of Decatur county ;

The yeas and nays were, on motion by mr. Tennille, required to be taken ; and

Are yeas 39—nays 31.

Those in the affirmative are, messrs.

Anderson	Dunagan	Hall
Black	Echols of Coweta	Henly
Blackstone	Echols of Walton	Johnson
Bryan	Ector	Mobley
Burch	Everett	Parrish
Cargille	Fane	Prater
Cleveland	Fullwood	Singleton
Cone	Graham	Smith
Dean	Groves	Spana



Stewart  
Surreney  
Swain  
Temples

Tennille  
Towns  
Ware  
Wells

Williams  
Wofford  
Wood  
Wooten

Those in the negative are, messrs.

Allen  
Avery  
Baber  
Bailey  
Baker  
Boykin  
Branham  
Brown of Camden  
Brown of Monroe  
Coxe  
Daniell

Devereux  
Harlow  
Hines  
Loyall  
McAllister  
McDougald  
McRae  
Mealing  
Miller  
Mitchell

Muncrief  
Nisbet  
Ray  
Sheffield  
Stapleton  
St. George  
Thomas of Appling  
Waldhauer  
White  
Woolfolk

The President declared the motion to be lost; for that the resolution on which the yeas and nays had just been recorded, was equivalent to a motion to suspend the "*Order of the Day*" after it had been gone into—to accomplish which, by the rules of Senate, an affirmative vote of two thirds of the members present is required.

On motion,

The Senate then proceeded with the order of the day, and:

Resolved itself into a committee of the whole, Mr. Wooten, in the Chair, on the bill to repeal the 2d and 4th sections of an act passed the 21st day of Dec. 1730, to appoint eleven additional trustees of the University of Georgia, and to provide a permanent additional fund for the support of the same, and declare the number of Trustees which shall be necessary to form a board, and to authorize a loan of \$10,000, to the board of trustees of said University, and to provide for the education of certain poor children therein mentioned; and having spent some time therein, the President resumed the Chair, and Mr. Wooten reported progress, and asked leave to sit again.

The Senate took up and agreed to the report.

The report of the committee of the whole, on the bill to raise a permanent fund for the support of common schools in the State of Georgia, was postponed for the present.

The Senate took up the report of the committee of the whole on the bill prescribing the manner of taking testimony in cases where any person intends contesting the seat of any member returned as elected a Senator or Representative of this State; and,

On motion by Mr. Wood, to postpone the report for the present,

The yeas and nays were required to be taken by Mr. Coxe; and

Are yeas 35—nays 35.

Those in the affirmative are, messrs.

Anderson	Ector	Smith
Black	Faris	Spann
Blackstone	Fullwood	Stewart
Bureh	Graham	Temples
Cargille	Groves	Tennille
Clayton	Hall	Towns
Cleveland	Henly	Ware
Cone	Johnson	Wells
Dean	Mobley	Wofford
Danagan	Parrish	Wood
Echols of Coweta	Prior	Wooten
Echols of Walton	Singleton	

Those in the negative are, messrs.

Allen	Devereux	Nisbet
Avery	Everett	Ray
Baber	Harlow	Sheffield
Bailey	Hines	Stapleton
Baker	Loyall	St. George
Boykin	McAllister	Thomas of Appling
Branham	McDougald	Thomas of Lee
Brown of Camden	McRae	Waldhauer
Brown of Monroe	Mealing	White
Bryan	Mitchell	Williams
Coxe	Muncrief	Woolfolk
Daniell	Neel	

There being a tie, the President voted in the negative, and the motion was lost.

The report was then amended, and the bill read the third time and passed.

The bill to abolish Penitentiary confinement in this State, except in certain cases, and for other purposes therein specified; was made the order of the day for Monday next.

The Senate took up the report of the committee of the whole, on the bill to define the powers of the courts of Law and Equity in this State, to punish for contempt of court; and

On motion by Mr. Nisbet to amend said report, by striking out "thirty" in the 3d section thereof, and inserting "ninety days" as the maximum of imprisonment, to which an officer of court or other person shall be subjected for contempt of court,

The yeas and nays were required to be taken by Mr. Nisbet, and the question being divided, it was decided against striking out.

The yeas are 34—the nays are 37.

Those in the affirmative are, messrs.

Allen	Harlow	Sheffield
Avery	Loyall	Singleton
Baker	McAllister	Stapleton
Barley	McDougald	St. George
Baker	Mealing	Thomas of Appling
Baykin	Miller	Tennille
Brannan	Mitchell	Town
Brown of Camden	Muncrief	Waldhauer
Coxe	Neel	White
Dick II	Nisbet	Williams
Fanning	Ray	Wooten
Hall		

Those in the negative are, messrs.

Anderson	Echols of Walton	Parrish
Black	Ector	Prior
Blackstone	Everett	Smith
Brown of Monroe	Faris	Spam
Bryan	Fullwood	Stewart
Burch	Graham	Swain
Cargille	Groves	Temples
Clayton	Henly	Ware
Cleveland	Hines	Wells
Cone	Johnson	Wofford
Dean	McRae	Wood
Devereux	Mobley	Woolfolk
Echols of Coveta		

On motion by Mr. Nisbet,

The report was then ordered to lie upon the table for the remainder of the session.

The Senate took up the report of the joint Judiciary committee of the 2nd inst.; and having read the same, it was unanimously agreed to—(the honorable Senator from the county of Bibb having been excused from voting) and is as follows:

The committee to whom was referred the communication of his Excellency the Governor, transmitting to the General Assembly, copies of a paper purporting to be signed by Henry Baldwin, Esq. one of the Justices of the Supreme Court of the United States, and to be a Citation to the State of Georgia, to appear in the Supreme Court on the second Monday in January next, to shew cause before that tribunal, why two several Judgments should not be set aside, which have lately been rendered in the Superior court of the county of Gwinnett, against Samuel A. Worcester and Elizur Butler, for a violation of an existing law of the State, committed within its jurisdictional limits; also of a paper purporting to be a notice, signed by William Wirt and John

Seargent, as counsel for Samuel A. Worcester Elizur Butler, informing his Excellency the Governor, of an intended application to the Supreme court for a hearing on writs of error filed by said Worcester and Butler—

Beg leave to recommend to the General Assembly, the adoption of the following resolutions, viz :

*Resolved, by the Senate and House of Representatives of the State of Georgia, in General Assembly met,* That the act of the last Legislature, making it penal, to reside within the limits of the lands belonging to the State, in the occupancy of the Cherokee Indians, without having taken a licence from the Governor, and without taking the oath to support the Constitution and laws of Georgia, under which Samuel A. Worcester and Elizur Butler, were convicted at the sitting of the last Superior court of Gwinnett county, is not in violation of either the letter or the spirit of the Federal Constitution :

That the State has right of civil and criminal jurisdiction over the whole of the lands within her chartered limits, and that her jurisdiction does of right extend to the persons and things within these limits.

That “the powers not delegated by the constitution to the United States, nor prohibited by it to the States, are reserved to the States respectively.” And that a right to interfere with and controul the criminal jurisdiction of the States, has not been delegated by the constitution, to the United States or its Courts ; nor is the right of exclusive and final jurisdiction in all criminal cases, prohibited by the constitution, to the States.

That by the constitution of the State of Georgia, final and conclusive jurisdiction in criminal cases, is vested in the Superior Courts of the several counties of this State ; and when these Courts have pronounced the sentence of the law, no Court has the right to re-hear, overrule and reverse their decisions ; or in any way impede the execution of their decrees.

That any attempt to reverse the decision of the Superior Court of Gwinnett county, in the case of Samuel A. Worcester and Elizur Butler, by the Supreme Court of the United States, will be held by this State, as an unconstitutional and arbitrary interference in the administration of her criminal laws, and will be treated as such.

That the State of Georgia will not compromit her dignity, as a sovereign State, or so far yield her rights as a member of the confederacy, as to appear in, answer to, or in any way become a party, to any proceedings before the Supreme Court, having for their object a reversal or interference with the decisions of the State Courts in criminal matters.

That his Excellency the Governor, be, and he and every other officer of this State, is hereby authorised and requested to disregard any and every mandate, order, process, or decree, that has been or shall be served upon him or them, purporting to proceed from the Chief Justice or any associate Justice of the Supreme Court of the United States, for the purpose of arresting or impeding the execution of the sentence of the State Courts, in criminal cases.

That his Excellency the Governor, be, and he is hereby authorised and required, with all the power and means placed at his command by the Constitution and laws of this State, to resist and repel any, and every invasion, from whatever direction it may come, upon the administration of the criminal laws of this State.

The following message was received from the House of Representatives, by Mr. Dawson, Clerk thereof:

The House of Representatives have agreed to a report and resolution in favor of John Fort, tax collector of Twiggs county.

To a resolution in favor of James O. Kelly.

To a resolution in favor of the citizens of St. Marys upon a subject of a part of the Public Arms.

And to a resolution in favor of Anson Reynolds, coroner of Carroll county; to which they desire concurrence.

They have passed a bill providing for the call of a Convention to revise and amend the 3d, 4th, 7th & 8th sections of the first article of the Constitution of this State.

They have concurred in the resolution of Senate, authorizing the Governor to deliver to the Richmond Light Dragoons, fifty cavalry swords and fifty pair of pistols.

They have this day agreed to a resolution, that the General Assembly adjourn "sine die" on Thursday, the 22d inst. to which they desire concurrence.

The Senate took up the report of the committee of the whole, on the bill to make null and void all contracts made and entered into, in writing or otherwise, between party or parties plaintiff or defendant, and attorney or attorneys at law, where the said attorney or attorneys shall fail to attend to the suit or suits, which he or they contracted to do until the rendition of a judgment; and

On motion,

Ordered it to lie upon the table for the present.

The Senate took up the report of the committee of the whole, on the bill to require all the chartered banks of this State to redeem their bills or notes with specie, upon presentation and demand of specie; and

On motion, to lay the same on the table for the present,

The yeas and nays were required by mr. Wofford to be recorded ; and

Are yeas 36—nays 35.

Those in the affirmative are, messrs.

Anderson	Ector	Spann
Black	Everett	Stewart
Blackstone	Faris	Swain
Burch	Fullwood	Temples
Cargille	Graham	Tennille
Clayton	Groves	Towns
Cleveland	Hall	Ware
Cone	Henly	Wells
Dean	Johnson	Wofford
Dunagan	Mobley	Wood
Echols of Coweta	Parrish	Woolfolk
Echols of Walton	Smith	Wooten

Those in the negative are, messrs.

Allen	Harlow	Prior
Avery	Hines	Ray
Baber	Loyall	Sheffield
Bailey	McAllister	Stapleton
Baker	McDougald	St. George
Boykin	McRae	Surrency
Branham	Mealing	Thomas of Appling
Brown of Camden	Miller	Thomas of Lee
Brown of Monroe	Mitchell	Waldhauer
Coxe	Muncrief	White
Daniell	Neel	Williams
Devereux	Nisbet	

The President voted in the negative, and the motion was considered as lost.

The Senate then resolved itself again into a committee of the whole, mr. Anderson in the Chair, on said bill ; and having spent some time therein, the President resumed the Chair, and mr. Anderson reported disagreement to the bill.

The Senate took up the report ; and on motion to agree to the same,

The yeas and nays were required, and  
Are yeas 39—nays 34.

Those in the affirmative are, messrs.

Black	Bryan	Cargille
		Clayton

Cleveland	Johnson	Thomas of Lee
Cone	McDougald	Temples
Daniell	Mitchell	Tennille
Dean	Mobley	Towns
Echols of Walton	Parrish	Ware
Everett	Prior	Wells
Faris	Singleton	White
Graham	Smith	Williams
Groves	Spann	Wood
Henly	Surrency	Woolfolk
Hines	Thomas of Appling	Wooten

Those in the negative are, messrs.

Allen	Dunagan	Muncrief
Anderson	Echols of Coweta	Ncel
Avery	Ector	Nisbet
Baber	Fullwood	Ray
Bailey	Hall	Sheffield
Baker	Harlow	Stapleton
Boykin	Loyall	Stewart
Branham	McAllister	St. George
Brown of Camden	McRae	Swain
Brown of Monroe	Mealing	Waldhauer
Coxe	Miller	Wofford
Devereux		

So the report of the committee was agreed to.

On motion of Mr. Bailey,

The Senate suspended the regular order of the day, so far as to take up the report of the committee on Privileges and Elections, and the substitute offered thereto, relative to the contested election for Senator from Decatur county.

Ordered, that the same be made the special order of the day for to-morrow.

On motion of Mr. Echols of Walton, the further order of the day was suspended, and

Mr. Echols of Walton, had leave to report instanter, a bill to authorize Elisha Betts and Thomas W. Harris, to build a bridge across Chattahoochee river, and to receive toll thereon.

Which was read the first time.

Mr. Nisbet, Chairman of the joint Judiciary committee, in obedience to the direction of that committee, made the following report :

The committee to whom was referred the veto of his Excellency the late Governor, to a bill passed at the last session of the Legislature, entitled " an act to regulate the internal police of the Penitentiary, so far as respects the guard : " beg leave to report, that

in the opinion of this committee, no act of the Legislature can be passed, having for its object, the punishment of the guard by the Inspectors of the Penitentiary in a summary way, by fine, or imprisonment, or either, because the same would be in violation of the Constitution of this State, which confers this power to the Superior courts with enumerated exceptions—none of which authorize criminal jurisdiction to be exercised by the Inspectors of the Penitentiary: they therefore beg leave to be discharged from the further consideration of the matter.

Which read and agreed to.

Mr. Nibet, Chairman of the same committee, also made by its direction, the following report:

The committee to whom was referred the subject matter of the Ogeechee Navigation Company, respecting the extent of their incorporation, and whether their power and privileges have not been forfeited, &c. report:

That said company was incorporated on the 15th of Dec. 1810, with a grant for the period of 20 years, of the usual privilege and immunities of a corporation—that by the 5th section, of the act of the General Assembly, incorporating said company, it is required that as soon as the President and Directors shall have been elected, and such officers as shall be necessary for carrying on the business of the said corporation, they shall proceed to open the river Ogeechee, from the mouth of Rocky Comfort, to the mouth of Canoochee, and to improve the navigation thereof, in such a manner as said company shall deem best calculated to promote the objects of their association.

The object of the said association, being thus clearly defined in the charter, your committee have instituted an inquiry into the fact, whether said company has effected the object contemplated in their charter; and are satisfied that although the stockholders in said association did elect a President and other officers with the view of proceeding to improve the navigation of said river; yet they have failed to effectuate the intention of their incorporation. Your committee believe that when exclusive advantages are extended to an incorporated body by Legislative enactment, to the prevention of individual enterprize in the same object, too close a scrutiny into their proceedings cannot be instituted, and too much caution cannot be adopted, in requiring a strict compliance with the duty voluntarily assumed by the corporation: that, as monopolies are always detrimental to private enterprize in cases where the privileged party is wholly regardless of the obligations assumed, and the public sustain injury, it is injustice to the latter, that monopolies should continue.

Your committee believe that the Ogeechee river has not been benefited by the privileges conferred on this company, and although 20 years have elapsed since their incorporation, yet nothing materially facilitating the navigation of this river, has been done by the



Your committee conceive that the charter to this company has been forfeited; and that the navigation of the river may be more certainly effected if the existing charter be destroyed. They therefore submit and recommend the adoption of the following bill—

A bill to repeal the several acts granting and extending the charter of incorporation to the Ogeechee Navigation Company;

Which was read the first time.

The Senate then adjourned until half past 9 o'clock to-morrow morning.

*SATURDAY, 10th Dec. 1831.*

Mr. Wofford moved to reconsider so much of the Journal of yesterday as relates to the agreement of the Senate, to the report on the bill to require all the chartered Banks of this State, to redeem their bills or notes with specie, upon presentation and demand of specie.

Which was determined in the negative.

Mr. Clayton laid on the table the following resolution :

*Be it resolved*, That the Governor be, and he is hereby authorized and required to furnish the Pulaski and Houston Cavalry with swords and pistols, and take the receipt of the commander of said troop of Horse, for the delivery of the said arms when they may be required.

Mr. Mitchell, Chairman of the committee on Finance, made in obedience to the direction of that committee, a report on the report of Col. Joseph W. Jackson, States' Agent, in reference to the actings and doings of the Commissioners of Pilotage on Savannah river;

Which was read and ordered to lie on the table.

On motion,

Leave of absence was granted to the hon. Senator, from the county of Washington, after to-day, for a few days.

Mr. White had leave to report *instanter*, a bill to separate and divorce Robert Hamet and Rebecca Hamet, his wife.

Which was read the first time.

Mr. Boykin had leave to report *instanter*, a bill to authorise Seaton Grantland to construct a dam across the Flint river, upon his own land, and for other purposes.

Which was read the first time.

Mr. Ector from the committee appointed, reported a bill to incorporate the county Academy in the town of Greenville, with other Academies, and to appoint Trustees for the same, so far as to appoint two additional Trustees for said Academy, at Greenville in Meriwether county.

Which was read the first time.

The Senate took up the report of the committee on Privileges and Elections and the substitute thereto, in pursuance of the order made by them on yesterday.

The legality of the vote of Daniel McSwain was again examined.

The affidavits of David Gray, John H. Gray and W. J. Ragan, were read in support of the objection of non-residence, and that of G. W. McElvey's, as to the person for whom McSwain voted.

The counter affidavit of Daniel McSwain (the voter) was read in support of the legality of his vote.

After which, Mr. Towns moved that the vote of said Daniel McSwain be stricken from the poll of the hon. Daniel O. Neel, the sitting Senator.

On striking it therefrom,

The yeas and nays were required to be recorded by Mr. Towns;

The Yeas are 37—the Nays are 35.

Those in the affirmative are, messrs.

Anderson	Everett	Smith
Black	Faris	Spann
Blackstone	Fullwood	Stewart
Burch	Graham	Swain
Cargille	Groves	Temples
Clayton	Hall	Tennille
Cleveland	Henly	Towns
Cone	Johnson	Ware
Dean	Mobley	Wells
Dunagan	Parrish	Wofford
Echols of Coweta	Prior	Wood
Echols of Walton	Singleton	Wooten
Ector		

Those in the negative are, messrs.

Allen	Baker	Brown of Camden
Avery	Boykin	Bryan
Baber	Branham	Coxe
Bailey	Brown of Monroe	Daniell

<b>Devereux</b>	<b>Miller</b>	<b>Surrency</b>
<b>Harlow</b>	<b>Mitchell</b>	<b>Thomas of Appling</b>
<b>Hines</b>	<b>Muncrief</b>	<b>Thomas of Lee</b>
<b>Loyall</b>	<b>Nisbet</b>	<b>Waldhauer</b>
<b>McAllister</b>	<b>Ray</b>	<b>White</b>
<b>McDougald</b>	<b>Sheffield</b>	<b>Williams</b>
<b>McRae</b>	<b>Stapleton</b>	<b>Woolfolk</b>
<b>Mealing</b>	<b>St. George</b>	

The vote of Daniel McSwain, was therefore ordered to be stricken from the poll of the sitting member.

The legality of the vote of Patrick Giddens, which was retained for the poll of Mr. Hawthorn, and reconsidered on yesterday, was again taken up for examination.

The evidence relative to said vote having been read ;

On motion by Mr. Daniell,

That the same be now stricken from the poll of William Hawthorn,

The yeas and nays were required by Mr. Allen, to be recorded, and the motion was decided in the negative.

The yeas are 35—the nays are 37.

Those in the affirmative are, messrs.

<b>Allen</b>	<b>Devereux</b>	<b>Ray</b>
<b>Avery</b>	<b>Harlow</b>	<b>Sheffield</b>
<b>Baber</b>	<b>Hines</b>	<b>Stapleton</b>
<b>Bailey</b>	<b>Loyall</b>	<b>St. George</b>
<b>Baker</b>	<b>McAllister</b>	<b>Surrency</b>
<b>Boykin</b>	<b>McDougald</b>	<b>Thomas of Appling</b>
<b>Branham</b>	<b>McRae</b>	<b>Thomas of Lee</b>
<b>Brown of Camden</b>	<b>Mealing</b>	<b>Waldhauer</b>
<b>Brown of Monroe</b>	<b>Miller</b>	<b>White</b>
<b>Bryan</b>	<b>Mitchell</b>	<b>Williams</b>
<b>Coxe</b>	<b>Muncrief</b>	<b>Woolfolk</b>
<b>Daniell</b>	<b>Nisbet</b>	

Those in the negative are, messrs.

<b>Anderson</b>	<b>Dunagan</b>	<b>Hall</b>
<b>Black</b>	<b>Echols of Coweta</b>	<b>Henly</b>
<b>Blackstone</b>	<b>Echols of Walton</b>	<b>Johnson</b>
<b>Burch</b>	<b>Ector</b>	<b>Mobley</b>
<b>Cargille</b>	<b>Everett</b>	<b>Parrish</b>
<b>Clayton</b>	<b>Faris</b>	<b>Prior</b>
<b>Cleveland</b>	<b>Fullwood</b>	<b>Singleton</b>
<b>Cone</b>	<b>Graham</b>	<b>Smith</b>
<b>Dean</b>	<b>Groves</b>	<b>Spann</b>

Stewart  
Swain  
Temples  
Tennille

Towns  
Ware  
Wells

Wofford  
Wood  
Wooten

The following message was received from the House of Representatives by Mr. Dawson, their clerk :

The House of Representatives have passed the following bills, to wit :

The bill to authorize Thomas S. Swain to establish a ferry on his own land, opposite Jacksonville, on the Ocmulgee river, in the county of Telfair.

The bill to amend an act passed the 22d of December, 1839, making Constables elective by the people, and to raise their fees, so far as respects the county of Camden.

The bill to authorize each of the religious societies of Milledgeville, to rent or sell their parsonage lot.

The bill for the relief of Edmund Pucket.

The bill to alter the times of holding the Superior courts, in some of the counties in the Southern circuit.

The bill to amend the Patrol laws of this State, so far as respects the county of Camden.

The bill to appoint commissioners to survey and lay out a public market road from Columbus on the Chattahoochee, to St. Mary's in Camden county.

The bill to divorce Polly C. Patterson and Chesley R. Patterson, her husband, and to change the name of said Polly C. Patterson.

The bill to separate and divorce John Long and his wife Lucy Long.

The bill to separate and divorce Lewellin M. Robinson and Amelia E. Robinson, his wife.

The bill to separate and divorce Mary Ann Foard and John Foard, her husband.

The bill for the relief of Daniel Gray of Upson county.

The bill to separate and divorce Nathaniel Ray and Mary Ray, his wife.

The bill to separate and divorce Jacob Weaver and Catharine Weaver, his wife.

The bill to separate and divorce Mary Coxe and Thomas J. Coxe, her husband.

The bill for the relief of William Quinn ; and

The bill to establish election precincts or districts, in the several counties, in addition to those already established, herein after named, at the several places therein specified, and to punish those who may attempt to violate the provisions of the same.

A communication was received from the Governor by Mr. Wellborn, his Secretary, informing the Senate, that the Governor had this day approved a resolution authorising him to deliver to Mr. [unclear]

F. Botselair and his associates, a certain quantity of arms ; which said resolution originated in this branch of the General Assembly.

On motion by mr. Daniell, the Senate proceeded with the evidence.

The vote of Benjamin Laud, was taken up and examined ; and

On motion by mr. Daniell, that the same be stricken from the poll of William Hawthorn,

The yeas and nays were thereupon, required to be recorded, and are yeas 33—nays 38.

Those in the affirmative are, messrs.

Allen	Harlow	Ray
Avery	Hines	Sheffield
Baber	Loyall	Stapleton
Bailey	McAllister	St. George
Baker	McDougald	Surrency
Boykin	McRae	Thomas of Appling
Brown of Camden	Mealing	Thomas of Lee
Brown of Monroe	Miller	Waldhauer
Coxe	Mitchell	White
Daniell	Muncrief	Williams
Devereux	Nisbet	Woolfolk

Those in the negative are, messrs.

Anderson	Ector	Smith
Black	Everett	Spann
Blackstone	Faris	Stewart
Bryan	Fullwood	Swain
Burch	Graham	Temples
Cargille	Groves	Tennille
Clayton	Hall	Towns
Cleveland	Henly	Ware
Cone	Johnson	Wells
Dean	Mobley	Wofford
Dunagan	Parrish	Wood
Echols of Coweta	Prior	Wooten
Echols of Walton	Singleton	

So the Senate refused to strike out the vote.

On motion of mr. Woolfolk,

That the Senate do now adjourn, the same was decided in the negative;

And Mr. Cleveland required the yeas and nays to be recorded thereupon.

The yeas are 29—the nays are 43.

Those in the affirmative are, messrs.

Allen	Devereux	Ray
Avery	Harlow	Sheffield
Baber	Hines	Stapleton
Bailey	Loyall	St. George
Baker	McAllister	Thomas of Appling
Boykin	McDougald	Thomas of Lee
Brown of Camden	McRae	Waldhauer
Brown of Monroe	Mitchell	White]
Coxe	Neel	Woolfolk
Daniell	Nisbet	

Those in the negative are, messrs.

Anderson	Faris	Smith
Black	Fullwood	Spann
Blackstone	Graham	Stewart
Bryan	Groves	Surrency
Burch	Hall	Swain
Cargille	Henly	Temples
Clayton	Johnson	Tennille
Cleveland	Mealing	Towns
Cone	Miller	Ware
Dean	Mobley	Wells
Dunagan	Muncrief	Williams
Echols of Coweta	Parrish	Wofford
Echols of Walton	Prior	Wood
Ector	Singleton	Wooten
Everett		

The votes of J. M. Robertson, Michael Mixson, Jesse Cone, John Williams and Jesse Grant, were retained for the poll of Mr. Hawthorn.

The evidence both on the part of the sitting member and of Mr. Hawthorn, having been gone through,

The report of the Chairman of the committee on Privileges and Elections, in regard thereto, was taken up, read and is as follows :

The committee on Privileges and Elections, to whom was referred the contested election for Decatur county, having examined all the testimony, have come to the following result, and respectfully report,

That David Culbreth, Robert McCreless and Daniel McSwain, gave in illegal votes for Daniel O. Neel, and that Isaiah Dykes, Peter F. Sparkeman and Patrick Giddens, gave in illegal votes for Wm. Hawthorn.

They therefore recommend the following resolution :

*Resolved*, That Daniel O. Neel, Esq. has been duly elected Senator from Decatur county, and is therefore entitled to retain his seat.

The substitute offered by Mr. Wood to said report was also read, and is as follows :

The committee on Privileges and Elections, to whom was referred the contested election from Decatur county, have had all the evidence under consideration, from which it appears that William Hawthorn, Esq. has been duly elected.

They therefore beg leave to offer the following resolution :

*Resolved*, That William Hawthorn, Esq. has been duly elected Senator for Decatur county, and as such he be admitted to take his seat.

Mr. Echols of Walton, then offered the following resolution as a substitute for the whole :

*Resolved*, That the seat of Daniel O. Neel be vacated ; and that Wm. Hawthorn be permitted to come into the Senate Chamber, be qualified and take his seat, as the Senator elect from the county of Decatur, in this State, he having been elected by a majority of legal votes at the late election in said county.

To which Mr. Daniell moved the previous question.

On it being asked by the President " shall the main question be now put ? " it was determined in the negative.

The question recurred upon agreeing to the resolution of Mr. Echols of Walton.

On its adoption,

The yeas and nays were required to be recorded, and are, yeas 36—nays 31.

Those in the affirmative are, messrs.

Anderson	Echols of Coweta	Johnson
Black	Echols of Walton	Mobley
Blackstone	Ector	Parrish
Burch	Everett	Prior
Cargille	Faris	Singleton
Clayton	Fullwood	Smith
Cleveland	Graham	Spann
Cone	Groves	Swain
Dean	Hall	Temples
Dunagan	Henly	Tennille

**Towns**  
**Ware**

**Wells**  
**Wofford**

**Wood**  
**Wooten**

Those in the negative are, messrs.

**Allen**  
**Avery**  
**Baber**  
**Bailey**  
**Baker**  
**Boykin**  
**Brown of Camden**  
**Brown of Monroe**  
**Bryan**  
**Daniell**  
**Devereux**

**Harlow**  
**Hines**  
**Loyall**  
**McDougald**  
**McRae**  
**Mealing**  
**Mitchell**  
**Muncrief**  
**Nisbet**  
**Ray**

**Sheffield**  
**Stapleton**  
**St. George**  
**Surrency**  
**Thomas of Appling**  
**Thomas of Lee**  
**Waldhauer**  
**White**  
**Williams**  
**Woolfolk**

So the resolution was agreed to.

Whereupon,

The President of Senate administered the oath prescribed by the Constitution of the State, to William Hawthorn, Esq. and he took his seat as Senator elect for the county of Decatur.

The Senate then adjourned until Monday morning 10 o'clock.

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*MONDAY, 12th December, 1831.*

On motion by mr. Daniell,

To reconsider so much of the Journal of Saturday last, as relates to the agreement of Senate to the resolution of mr. Echols of Walton, vacating the seat of Daniel O. Neel, and authorising the qualification of William Hawthorn, Esq. as Senator elect from the county of Decatur;

The yeas and nays were required to be recorded, and are, yeas 37—nays 37.



Those in the affirmative are, messrs.

Allen	Harlow	Nisbet
Avery	Hines	Ray
Baber	Holloway	Sheffield
Bailey	Loyall	Stapleton
Baker	McAllister	St. George
Boykin	McDougald	Surrency
Branham	McRae	Thomas of Appling
Brown of Camden	Mealing	Thomas of Lee
Brown of Monroe	Mercer	Waldbauer
Bryan	Miller	White
Coxe	Mitchell	Williams
Daniell	Muncrief	Woolfolk
Devereux		

Those in the negative are, messrs.

Anderson	Everett	Smith
Black	Faris	Spann
Blackstone	Fullwood	Stewart
Burch	Graham	Swain
Cargille	Groves	Temples
Clayton	Hall	Tennille
Cleveland]	Henly	Towns
Cone	Johnson	Ware
Dean	Mobley	Wells
Dunagan	Parrish	Wofford
Echols of Coweta	Prior	Wood
Echols of Walton	Singleton	Wooten
Ector		

There being a *tie*, the President gave his vote in the affirmative ; and the motion for reconsideration, thereby prevailed.

Mr. Bailey submitted the following resolution :

*Resolved*, That his Excellency the Governor, be authorised and requested, to employ a competent Engineer to examine and report to the next General Assembly, upon the practicability and probable expense of rendering the Chattahoochee river navigable from West Point in Troup county, to the town of Columbus.

Which was read, and ordered to lie upon the table.

Mr. Groves presented a petition from Thomas Denny, a volunteer soldier in the late war between Great Britain and the United States, asking assistance to relieve the distresses of himself and family,

Which was referred to a select committee, consisting of messrs. Groves, Allen and Tennille, with leave to report by bill or otherwise.

Mr. Sheffield presented a petition signed by a number of citizens of Wayne county, asking the removal of their court-house, to a more central part of said county;

Which was referred to a select committee, consisting of messrs. Sheffield, McDougald and Mitchell.

Mr. Woolfolk presented a petition signed by a number of individuals, praying that a part of Harris county, be added to the county of Muscogee;

Which was referred to a select committee, consisting of messrs. Woolfolk, McDougald and Bailey.

On motion of Mr. Swain,

The hon. Senators from Tattnall and Pike, were added to the committee on Petitions.

Mr. Daniell laid on the table the following resolution :

*Resolved*, That the Senate will convene in the House of Representatives on Tuesday afternoon next, at 3 o'clock, for the purpose of electing four Directors for the State Bank, and two for the Planter's Bank.

Mr. Smith laid upon the table the following resolution :

*Resolved*, That the committee on Privileges and Elections, report forthwith, whether or not there is at this time any matter before them in relation to contested elections, and if so, what are the state of such cases.

Mr. Anderson called up his resolution laid upon the table on the 2d inst. relative to an appropriation of \$400, made in favor of the late Joseph V. Bevan, to do certain things, and requesting the Governor to cause the bond of said Bevan, which was given for the performance thereof, to be placed in the hands of the Solicitor General of the Eastern district, for suit.

Which was read and agreed to.

Mr. Mealing presented the memorial of Barna McKinnie, Executor of the estate of Thomas Golphin, late of South Carolina; which was referred to a select committee, consisting of messrs. Mealing, Daniell and Harlow.

Mr. Ector from the committees appointed, reported a bill to regulate the poll tax of this State, so far as relates to our free white population paying a poll tax; and

A bill to add a part of the county of Meriwether, to the county of Harris.

Which were severally read the first time.

Mr. Ware from the committee appointed, reported a bill to add a part of Carroll county to the county of Heard.

Which was read the first time.

The Senate again resolved itself into a committee of the whole, Mr. Woolfolk in the chair, in the bill to repeal the 2d and 4th sections of an act passed the 21st day of December, 1830, to appoint eleven additional Trustees of the University of Georgia, and to provide a permanent additional fund for the support of the same, and declare the number of Trustees which shall be necessary to form a board, and to authorise a loan of \$10,000 to the Board of Trustees of said University, and to provide for the education of certain poor children, therein mentioned ; and having spent some time therein, the President resumed the chair, and the bill was reported with amendment.

Ordered, that the report lie upon the table until called up.

The Senate adjourned until 4 o'clock, P. M.

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#### 4 O'CLOCK, P. M.

The Senate met pursuant to adjournment.

The following bills of Senate were read the second time and ordered for a third reading :

A bill to separate and divorce Robert Hamet and Rebecca Hamet, his wife ; and

A bill to incorporate the Oak Ridge Academy, in Talbot county, and appoint Trustees for the same.

The following bills of Senate were read the second time, and ordered for committees of the whole :

A bill to authorise the Judge of the court of Common Pleas and Oyer and Terminer for the city of Savannah, to hold special or extraordinary courts for the summary trial of causes therein enumerated, and to empower the Mayor of the city of Savannah, also, to hold such special or extraordinary courts, and to regulate seamen and mariners, and to prevent them from being harboured or running in debt.

A bill to establish an additional election district in the county of Talbot.

A bill to authorise the Trustees of the Warrenton Academy, in Warren county, to raise by lottery the sum of \$3,000 for the benefit of said Academy.

A bill for the relief of Augustin Harris.

A bill to regulate slaves in the town of Milledgeville, and to punish their owners and managers in certain cases.

A bill to change the mode of electing the Judges of the Superior courts in this State, and to authorise the election of said Judges by the people in the several judicial circuits.

A bill to authorise Elisha Betts and Thomas W. Harris, to build a bridge across Chattahoochee River, and to receive toll thereon.

A bill to repeal the several acts granting and extending the charter of incorporation to the Ogeechee Navigation Company.

A bill to authorise Seaton Grantland to build a dam across the Flint River upon his own land, and for other purposes; and

A bill to amend an act to incorporate the county Academy in the town of Greenville, with other Academies, and to appoint Trustees for the same, so far as to appoint two additional Trustees for said Academy, at Greenville in Meriwether county.

The several messages of the House of Representatives, lying upon the table, were taken up, and the bills therein contained, read the first time.

The Senate then adjourned until half past 9 o'clock, to-morrow morning.

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## TUESDAY, 13th Dec. 1831,

Mr. Clayton had leave to introduce *instanter*, a bill to reduce the tax on Swamp land, subject to overflow.

Which was read the first time.

Mr. Muncrief, Chairman of the committee on Public Education and Free Schools, in obedience to the direction of the committee, made a report;

Which was read, and ordered to lie upon the table for the present,

And 500 copies of the same, ordered to be printed for the use of the Legislature.

On motion,

Leave of Absence was granted to the hon. Senator from Chatham, after Thursday next, for a few days.

Mr. Groves, from the committee appointed upon the petition of Thomas Denny, made a report and resolution in favor of said Denny ;

Which was read, amended, and ordered to lie upon the table for the present.

Mr. Stapleton notified the Senate, that after to-day he will move for the appointment of a committee to prepare and report a bill to authorise the Trustee of the Poor School fund of Lowndes county, to loan out the said fund under certain restrictions ; also to authorise the Trustee aforesaid, to collect all sums which may be loaned out.

The Senate resolved itself into a committee of the whole, Mr. Wooten in the chair, on the bill to abolish Penitentiary confinement in this State, except in certain cases, and for other purposes therein specified ; and having spent some time therein, the President resumed the chair, and the bill was reported without amendment.

The Senate took up the report, and

On motion by Mr. Branham, to lay the same on the table for the present ;

Mr. Echols of Coweta, required the yeas and nays to be recorded thereupon.

The yeas are 40—the nays are 33.

Those in the affirmative are, messrs.

Allen	Everett	Mitchell
Avery	Groves	Muncrief
Baber	Hall	Neel
Bailey	Harlow	Nisbet
Baker	Hines	Prior
Boykin	Holloway	Ray
Branham	Loyall	Sheffield
Brown of Camden	McAllister	Singleton
Brown of Monroe	McDougald	Stapleton
Bryan	McRae	St. George
Cleveland	Mealing	Waldhauer
Coxe	Mercer	White
Daniell	Miller	Woolfolk
Devereux		

Those in the negative are, messrs.

Anderson	Cargille	Dunagan
Black	Clayton	Echols of Coweta
Blackstone	Cone	Echols of Walton
Burch	Dean	Ector

Faris	Spann	Towns
Fullwood	Stewart	Ware
Henly	Surrency	Wells
Johuson	Swain	Williams
Mobley	Thomas of Applig	Wofford
Parrish	Temples	Wood
Smith	Tenuille	Wooten

So the motion to lay the report on the table for the present, prevailed.

The following message was received from the House of Representatives, by Mr. Dawson, their clerk :

The House of Representatives have passed the following bills, to wit :

~~he~~ A bill entitled an act to place a part of the public lands, on a road to commence on the Turnpike road leading from Augusta to Washington, near Wrightsboro', and pass through Crawfordsville, Greensboro', Madison and Covington, and on to Decatur, for the improvement of the same.

A bill to prevent the assemblage or collection of free persons of color or slaves in this State, under pretence of religious worship, or for any other purpose, without the express permission of their owners, and in presence of one or more responsible citizen or citizens of this State.

A bill to loan to the town of Columbus, a sum of money for the construction of a bridge across the Chattahoochee River at said town, to provide for the payment of said loan, to make permanent said Bridge, and for other purposes.

And a bill to regulate and make uniform the proceedings against bail in criminal cases.

The Senate took up the report of the select committee on the petition of Isaac Pirtle, James Cantrell, and Allen Blake, laid upon the table on the 5th inst. which was read, agreed to, and is as follows :

The committee to whom was referred the petition of Isaac Pirtle, James Cantrell, and Allen Blake, have had the same under consideration, and are of opinion that the prayer of the petitioners is reasonable and ought to be granted.

Your committee come to this conclusion from the following considerations :

They think that it is the duty of all good citizens, to use active vigilance to bring offenders to justice ; and your petitioners could have no other motive in view, in pursuing Isaiah Gaines after he had murdered Elijah Denton, and as your committee believe that it would have been improper to have delayed pursuing said Gaines until his Excellency could have issued his proclamation, because such a delay might have caused his final escape;

*Be it therefore resolved*, That the sum of \$75 be, and the same is hereby appropriated to the payment of Isaac Pirtle, James Cou-trell, and Allen Blake, for their time and expence incurred in pursuing and bringing to trial Isaiah Gaines, and that the same be inserted in the appropriation act.

The Senate took up the report of the select committee on the petition of David Shelton, Adm'r. of the estate of Thomas Dyer, deceased, laid on the table the 2d inst.;

And the same having been read, was agreed to, and is as follows :

The committee to whom was referred the memorial of David Shelton, Adm'r. of Thomas Dyer, report,

That they have had the subject matter of the memorial under consideration, and have ascertained that by the re-survey, declared by the Legislature, of the fractions on Flint river, in the first district of Dooly, he the said Thomas Dyer, or his heirs and representatives, have lost 750 acres of land, that was included in those fractions at the time of sale, and we deem it but justice to the heirs of the said Thomas Dyer; that they should have the purchase money refunded with interest, or have the land as purchased, restored to them.

They therefore recommend, that the sum of \$190 25, the original purchase money, with the further sum of \$91 32, of interest, accruing from the time the same was paid into the Treasury, be refunded to the said David Shelton, as Adm'r. of Thomas Dyer, upon the surrender of his certificates of purchase, and signing a deed of relinquishment to the State, and that the same be placed in the appropriation act.

The Senate took up the report of the select committee on the petition of sundry citizens praying an appropriation for the purpose of building necessary bridges across the Lagoons at Beard's Bluff, on the Altamaha, laid on the table the 2d inst.

And the resolutions embracing said report, were read as follows:

*Resolved*, That the sum of six hundred dollars be inserted in the appropriation act for the above purpose, and that his Excellency the Governor be, and he is hereby instructed and required to issue his warrant on the Treasury for that amount, when the bridges shall have been completed.

*Resolved further*, That Simon Harrington, Jacob Howard and William Smith, be and they are hereby appointed Commissioners to superintend and contract for the building of said Bridges.

Mr. Cone moved to amend the preamble of the report, by inserting, " also Lots creek, Sculls creek and Nevills creek, in Bullock

county," for the erection of similar bridges ; and to strike out in said resolution, the sum of \$600, and insert \$1200, to carry the same into effect.

When mr. Wofford moved that the report and amendments thereto, lie upon the table for the balance of the session.

The yeas and nays were required, and it was decided in the affirmative.

The yeas are 38—the nays are 34.

Those in the affirmative are, messrs.

Anderson	Echols of Coweta	Prior
Avery	Ector	Ray
Baber	Fullwood	Singleton
Black	Graham	Spann
Branham	Groves	Temples
Brown of Monroe	Hall	Towns
Burch	Holloway	Ware
Cargille	Johnson	Wells
Cleveland	McDougald	White
Coxe	Mealing	Wofford
Dean	Mobley	Woolfolk
Devereux	Muncrief	Wooten
Dunagan	Parrish	

Those in the negative are, messrs.

Allen	Harlow	Smith
Bailey	Henly	Stapleton
Baker	Hines	Stewart
Blackstone	Loyall	St. George
Boykin	McAllister	Surrency
Brown of Camden	McRae	Swain
Bryan	Mercer	Thomas of Appling
Clayton	Miller	Thomas of Lee
Coue	Mitchell	Waldhauer
Daniell	Nisbet	Williams
Echols of Walton	Sheffield	Wood
Faris		

The Senate took up the reconsidered resolution of mr. Echols of Walton, vacating the seat of Daniel O. Neel, and authorising the qualification of William Hawthorn, Esq. as Senator elect from the county of Decatur.

On motion of mr. Towns,

To make the same the special order of the day for to-morrow,



The yeas and nays were required by mr. Johnson, to be recorded ;

And the motion was lost.

The yeas are 37—the nays are 37.

Those in the affirmative are, messrs.

Anderson	Everett	Smith
Black	Faris	Spann
Blackstone	Fullwood	Stewart
Burch	Graham	Swain
Cargille	Groves	Temples
Clayton	Hall	Tennille
Cleveland	Henly	Towns
Cone	Johnson	Ware
Dean	Mobley	Wells
Dunagan	Parrish	Wofford
Echols of Coweta	Prior	Wood
Echols of Walton	Singleton	Wooten
Ector		

Those in the negative are, messrs.

Allen	Harlow	Nisbet
Avery	Hines	Ray
Baber	Holloway	Sheffield
Bailey	Loyall	Stapleton
Baker	McAllister	St. George
Boykin	McDougald	Surrency
Branham	McRae	Thomas of Appling
Brown of Camden	Mealing	Thomas of Lee
Brown of Monroe	Mercer	Waldhauer
Bryan	Miller	White
Coxe	Mitchell	Williams
Daniell	Muncrief	Woolfolk
Devereux		

The President was desired to vote, and accordingly voted in the negative

On motion of mr. Nisbet,  
The resolution was then read.

Mr. Singleton then moved that the Senate adjourn, and required the yeas and nays to be taken thereupon.

The yeas are 34—the nays are 41.

Those in the affirmative are, messrs.

Anderson	Everett	Singleton
Black	Faris	Smith
Blackstone	Fullwood	Spann
Burch	Graham	Stewart
Cargille	Groves	Swain
Clayton	Hall	Tennille
Cleveland	Henly	Towns
Cone	Johnson	Ware
Deau	Mobley	Wells
Dunagan	Parrish	Wood
Echols of Walton	Prior	Wooten
Ector		

Those in the negative are, messrs.

Allen	Harlow	Ray
Avery	Hines	Sheffield
Baber	Holloway	Stapleton
Bailey	Loyall	St. George
Baker	McAllister	Surrency
Boykin	McDougald	Thomas of Appling
Branham	McRae	Thomas of Lee
Brown of Camden	Mealing	Temples
Brown of Monroe	Mercer	Waldhauer
Bryan	Miller	White
Coxe	Mitchell	Williams
Daniell	Muncrief	Wofford
Devereux	Neel	Woolfolk
Echols of Coweta	Nisbet	

So the motion for adjournment was decided in the negative,

On motion, by mr. Echols of Walton,  
To lay the resolution on the table for the present ;

The yeas and nays were required by mr. Echols, to be recorded ; and

Are Yeas 35—Nays 39.

Those in the affirmative are, messrs.

Anderson	Dean	Faris
Black	Dunagan	Fullwood
Blackstone	Echols of Coweta	Graham
Cargille	Echols of Walton	Groves
Clayton	Ector	Hall
Cone	Everett	Henly

Johnson	Spann	Ware
Mobley	Stewart	Wells
Parrish	Swain	Wofford
Prior	Temples	Wood
Singleton	Tennille	Wooten
Smith	Towns	

Those in the negative are, messrs.

Allen	Daniell	Muncrief
Avery	Devereux	Nisbet
Baber	Harlow	Ray
Bailey	Hines	Sheffield
Baker	Holloway	Stapleton
Boykin	Loyall	St. George
Branham	McAllister	Surrency
Brown of Camden	McDougald	Thomas of Appling
Brown of Monroe	McRae	Thomas of Lee
Bryan	Mealing	Waldhauer
Burch	Mercer	White
Cleveland	Miller	Williams
Coxe	Mitchell	Woolfolk

So the motion for laying the resolution on the table for the present was lost.

Whereupon,

Mr. Echols of Walton, offered the following, as an amendment to said resolution ;

Whereas, from the returns of the late election held in the county of Decatur for members of the present Legislature, it appears that Daniel O. Neel, received a majority of one vote, over his competitor Wm. Hawthorn, as given in at the polls;

And whereas, it doth further appear on an examination of the legal votes, that Daniel O. Neel did receive three illegal votes, leaving to Wm. Hawthorn a majority of two of the legal voters over Mr. Neel ; and the said Wm. Hawthorn having had the oath, as required by the Constitution, administered to him by the President, took his seat:

*Be it further resolved,* That Wm. Hawthorn be recognized as the legal representative in the Senatorial Branch of the Legislature, for the county of Decatur.

And on the question being put of agreeing to said proposed amendment :

The yeas and Nays were required to be recorded, and are, Yeas 37—Nays 37.

So the motion was lost, the vote being equal.

Those in the affirmative are, messrs.

Anderson	Everett	Smith
Black	Faris	Spann
Blackstone	Fullwood	Stewart
Burch	Graham	Swain
Cargille	Groves	Temples
Clayton	Hall	Tennille
Cleveland	Henly	Towns
Cone	Johnson	Ware
Dean	Mobley	Wells
Dunagan	Parrish	Wofford
Echols of Coweta	Prior	Wood
Echols of Walton	Singleton	Wooten
Ector		

Those in the negative are, messrs.

Allen	Harlow	Nisbet
Avery	Hines	Ray
Baber	Holloway	Sheffield
Bailey	Loyall	Stapleton
Baker	McAllister	St. George
Boykin	McDougald	Surrency
Branham	McRae	Thomas of Appling
Brown of Camden	Mealing	Thomas of Lee
Brown of Monroe	Mercer	Waldhauer
Bryan	Miller	White
Coxe	Mitchell	Williams
Daniell	Muncrief	Woolfolk
Devereux		

The President was desired to give his vote, and he voted in the negative.

On motion by Mr. Bailey,

To lay the reconsidered resolution on the table, for the remainder of the session;

The yeas and nays were required, and it was decided in the negative.

The Yeas are 36,—the Nays are 38

Those in the affirmative are, messrs.

Allen	Harlow	Nisbet
Avery	Hines	Ray
Baber	Holloway	Sheffield
Bailey	Loyal	Stapleton
Baker	McAllister	St. George
Boykin	McDougald	Surrency
Branham	McRae	Thomas of Appling
Brown of Camden	Mealing	Thomas of Lee
Brown of Monroe	Mercer	Waldhauer
Coxe	Miller	White
Daniell	Mitchell	Williams
Devereux	Muncrief	Woolfolk

Those in the negative are, messrs.

Anderson	Ector	Smith
Black	Everett	Spann
Blackstone	Faris	Stewart
Bryan	Fullwood	Swain
Burch	Graham	Temples
Cargille	Groves	Tennille
Clayton	Henly	Towns
Cleveland	Hall	Ware
Cone	Johnson	Wells
Dean	Mobley	Wofford
Dunagan	Parrish	Wood
Echols of Coweta	Prior	Wooten
Echols of Walton	Singleton	

Mr. Baber then moved, that the Senate do agree to said resolution, reserving to himself the right of voting against it.

And on the question of agreeing thereto,

The yeas and nays were required to be recorded, and being equal, the motion was lost.

The Yeas are 37—the Nays are 37

Those in the affirmative are, messrs.

Anderson	Dunagan	Hall
Black	Echols of Coweta	Henly
Blackstone	Echols of Walton	Johnson
Burch	Ector	Mobley
Cargille	Everett	Parrish
Clayton	Faris	Prior
Cleveland	Fullwood	Singleton
Cone	Graham	Smith
Dean	Groves	Spann

Stewart  
Swain  
Temples  
Tennille

Towns  
Ware  
Wells

Wofford  
Wood  
Wooten

Those in the negative are, messrs.

Allen  
Avery  
Baber  
Bailey  
Baker  
Boykin  
Branham  
Brown of Camden  
Brown of Monroe  
Bryan  
Coxe  
Daniell  
Devereux

Harlow  
Hines  
Holloway  
Loyall  
McAllister  
McDougald  
McRae  
Mealing  
Mercer  
Miller  
Mitchell  
Muncrief

Nisbet  
Ray  
Sheffield  
Stapleton  
St. George  
Surrency  
Thomas of Appling  
Thomas of Lee  
Waldhauer  
White  
Williams  
Woolfolk

The President was desired to record his vote, and accordingly voted in the negative.

On motion, by mr. Bailey,  
That the Senate do now adjourn.

The yeas and nays were required, by Mr. Echols of Walton; and  
Are Yeas 54—Nays 17.

Those in the affirmative are, messrs.

Allen  
Anderson  
Avery  
Baber  
Bailey  
Baker  
Black  
Blackstone  
Boykin  
Branham  
Brown of Camden  
Brown of Monroe  
Bryan  
Burch  
Cargille  
Clayton  
Cone  
Coxe

Daniell  
Dean  
Devereux  
Faris  
Groves  
Hall  
Harlow  
Hines  
Holloway  
Loyall  
McAllister  
McDougald  
McRae  
Mealing  
Mercer  
Miller  
Mitchell  
Muncrief

Neel  
Nisbet  
Ray  
Sheffield  
Singleton  
Smith  
Spann  
Stapleton  
St. George  
Surrency  
Thomas of Appling  
Towns  
Ware  
White  
Williams  
Wofford  
Wood  
Woolfolk

Those in the negative are, messrs.

Dunagan	Graham	Swain
Echols of Coweta	Henly	Thomas of Lee
Echols of Walton	Johnson	Tennille
Ector	Mobley	Waldhauer
Everett	Parrish	Wooten
Fullwood	Prior	

The motion for adjournment having prevailed,

The Senate adjourned until 9 o'clock, to-morrow morning.

### WEDNESDAY, 14th Dec. 1831.

On motion of Mr. Cone,

The Senate reconsidered so much of the Journal of yesterday, as relate to laying on the table for the remainder of the session, the report and proposed amendments thereto, of the select committee on the Petition of sundry citizens, relative to an appropriation for building bridges across the Lagoons at Beard's Bluff, on the Altamaha river.

Mr. Swain, Chairman of the committee on Petitions, in obedience to the direction of the committee, made the following report :

The committee on Petitions, to whom was referred the petition of sundry persons of Coweta and Heard counties, for a part of Coweta county to be added to Heard, have had the said petition under consideration, and are of the opinion that the prayer of the petitioners ought not to be granted ; and beg leave to be discharged from the further consideration of said petition.

Which was read and agreed to.

Mr. Muncrief, Chairman of the committee on Public Education and Free Schools, laid upon the table a tabular statement of the reports of the several trustees of the poor school fund in the different counties of the State.

On motion,

The honorable Senator from the county of Bibb, had leave of absence after Monday next, for a few days ; and the hon. Senator from Muscogee after to-day for a few days also.

Agreeably to notice, Mr. Stapleton moved for the appointment of a committee to prepare and report a bill to authorize the trustee of the poor school fund of Lowndes county, to loan out the said fund under certain restrictions ; also to authorize the said trustee to collect all sums which may be loaned out.

Ordered, that messrs. Stapleton, Henly and Muncrief, be that committee.

On motion by Mr. Henly,

*Resolved*, that the committee on Printing have the bill providing for the survey and occupancy of the Cherokee land, printed for the benefit of Senate.

Ordered, that 200 copies of said bill be printed.

Mr. Williams presented a petition from Tunnel Haden of Stewart county, praying to be relieved from the payment of a judgment obtained by seire facias upon the forfeited recognizance of one Carrel Ursey of Wilkinson county, for whom the said Tunnel Haden was security ; and

Mr. Williams thereupon, submitted a resolution granting indulgence to said Haden.

Which was read, and ordered to lie upon the table.

Mr. Swain laid upon the table the following resolution :

*Resolved*, that the Senate will not act further on the bills of the other House, until those from Senate are taken up and passed on—reciprocity being necessary between the two branches in doing the public business.

Mr. Allen, Chairman of the committee on Agriculture and Internal Improvement, in accordance with the directions of the committee, made a report upon the Petition of sundry persons from Lincoln and Columbia county, relative to the subject of the course the public lands should direct the Petersburg road, either by Lincoln or Goshen.

Which was read and ordered to lie upon the table.

Mr. Allen, Chairman of the same committee, made the following report ; which was read and agreed to :

The joint committee on Agriculture and Internal Improvement, to whom was referred the petition of a number of the citizens of the county of Baker, on the subject of the navigation of the Itchawanatchaway creek in said county, beg leave to recommend the adoption of the following resolution :

Whereas, the creek Itchawanatchaway, a large tributary of the Flint river, which traverses the county of Baker, is represented to this General Assembly as navigable for a considerable distance : And, whereas, it is highly important to the good citizens of said county, that said creek be fully examined, and its condition improved, if the same is represented to be practicable ;



*Be it therefore resolved*, that Wm. McDaniel, Benj. Johnson and Richard Lofton, or a majority of them be, and they are hereby appointed commissioners to examine into and report to the next Legislature of this State upon the condition of said creek, and what measures will best conduce to the improvement of the navigation of said creek : Provided the county of Baker make them compensation for their services, if they should demand such compensation.

Mr. Allen, Chairman of the same committee, made the following report :

The committee on Agriculture and Internal Improvement, to whom was referred the memorial of sundry inhabitants of the county of Burke, have had the same under consideration, and beg leave to report—

That the county of Burke, has, -as appears from the documents submitted to them, been at more expence in the erection of bridges and causeways, than equitably falls to their share; and the said county not having hitherto been benefitted by the monies expended by the State, for the improvement of the roads, it is but just and reasonable that they should be aided by the State in such works and repairs in relation to causeways and bridges, as may be necessary to be done hereafter in that county.

They would therefore, recommend the adoption of the following resolution :

*Resolved*, That the superintendant of roads of the Eastern section, examine the several passways over Brier creek, within the county of Burke, and report to the next Legislature, what labor is necessary to render passable that creek at all necessary points, so that provision may be made for executing the work.

Mr. Ector moved the following as an additional resolution :

*“ And be it further resolved*, That the superintendant of Public hands of the western division be required to examine into and report as aforesaid; the expediency and probable expence of building a bridge across Flint river at the Flat Shoals.”

Mr. Stewart moved the following as an additional resolution, also :

*“ Be it therefore resolved*, That the superintendant of the 2d section, examine the roads from the different public ferries on the Altamaha, across the swamps only ; and report to the next Legislature.”

When, Mr. Dunagan moved that the report and proposed additional resolutions lay upon the table for the remainder of the session; and on the question agreeing to said motion,

The yeas and nays were required, and it was decided in the negative.

The yeas are 24—the nays are 44.

Those in the affirmative are, messrs.

Anderson	Dunagan	Prior
Black	Echols of Coweta	Smith
Blackstone	Echols of Walton	Spann
Bowen	Ector	Swain
Cargille	Fullwood	Ware
Clayton	Hall	Wells
Cleveland	Mobley	Wofford
Dean	Parrish	Wooten

Those in the negative are, messrs.

Allen	Harlow	Singleton
Avery	Henly	Stapleton
Baber	Hines	Stewart
Bailey	McAllister	St. George
Baker	McDougald	Surrency
Branham	McRae	Thomas of Appling
Brown of Camden	Mealing	Thomas of Lee
Brown of Mouroe	Mercer	Temples
Burch	Miller	Tennille
Cone	Stitchell	Waldhauer
Coxe	Muncrief	White
Daniell	Neel	Williams
Devereux	Nisbet	Wood
Faris	Ray	Woolfolk
Groves	Sheffield	

The proposd additional resolutions, were then severally agreed to, and the report as amended, agreed to, and;

Mr. Allen, Chairman of the same committee, made the follow report, which was read and agreed to :

The joint committee on Agriculture and Internal Improvement, to whom was referred a communication to his Excellency the Governor, from Reuben Thornton, Esq. on the subject of Internal Improvement, have had the same under consideration, and beg leave to report,

That your committee duly appreciate the information obtained thro' the memorialist on this subject, and they concur in the sentiments suggested by that individual, that facilities should in justice be afforded to the counties bordering on the Chattahoochee above the great falls, to transport the products of their soil to some advantageous market : yet your committee are of opinion that it would be premature at this time to lavish large sums of money on the improvement of the navigation of the Chattahoochee : your committee come to this conclusion from the following ~~facts~~—first, because there is no

end of the great falls; & secondly, because your committee believe that no reciprocal advantages can be derived from the transportation of the articles mentioned by the memorialist down the river; and they are of opinion that the Chattahoochee cannot with any thing like a moderate sum of money, be improved so as to enable water rafts successfully to ascend the river above the falls. From this view of the subject, your committee would beg leave to recommend that, instead of expending money on the improvement of the Chattahoochee above the falls, that efficient measures should be immediately adopted by the Legislature, to improve the main market roads leading through the section of the State mentioned by the memorialist.

Mr. Temples called up his resolution of the 22d ultimo, relative to persons who are indebted by judgments to the State, and who have, or may draw lands in past or future land lotteries, &c.

Which was read and agreed to.

Mr. Temples also called up his resolution of the 22d ult. relative to re-surveying the 2d dist. of Marion, formerly Muscogee county; and the same having been read,

Mr. Temples offered the following as a substitute therefor :

“Whereas, it is represented to this Legislature, that certain lots of land in the 2d district of originally Muscogee county, now Marion, was incorrectly surveyed by the district surveyor: for remedy whereof—

*Be it resolved by the Senate and House of Representatives of the State of Georgia, in General Assembly met, That the Governor be, and he is hereby authorized and required after the first day of January next, to send a competent surveyor to examine the lines of the several lots in said district, from the No. 146 to 192; and if the same should be found not to have been surveyed according to law, his Excellency the Governor, is hereby requested to have the same surveyed, giving the district surveyor thirty days notice of such examination and survey.*

Mr. Branham offered as a substitute therefor, the following :

*Resolved, that his Excellency the Governor be, and he is hereby requested to enquire into the correctness of the survey of 2d dist. of formerly Muscogee county, now Marion county, with a view to have the bond of the district surveyor sued upon.*

And on the question of agreeing to mr. Branham's substitute,

The yeas and nays were required by mr. Daniell, and it was decided in the negative.

The yeas are 30—the nays are 39.

Those in the affirmative are, messrs.

Allen	Harlow	Munciel
Avery	Loyall	Neel
Baber	McAllister	Nisbet
Bailey	McDougald	Ray
Baker	McRae	Sheffield
Boykin	Mealing	Stapleton
Branham	Mercer	St. George
Brown of Monroe	Miller	Waldhauer
Daniell	Mitchell	White
Devereux	Mobley	Williams

Those in the negative are, messrs.

Anderson	Echols of Walton	Spann
Black	Ector	Stewart
Blackstone	Everett	Surrency
Bowen	Faris	Swain
Brown of Camden	Fullwood	Thomas of Lee
Burch	Graham	Temples
Cargille	Groves	Tennille
Clayton	Hall	Towns
Cleveland	Henly	Ware
Cone	Parrish	Wells
Dean	Prior	Wofford
Dunagan	Singleton	Wood
Echols of Coweta	Smith	Wooten

Mr. Daniell then proposed as a substitute for the original resolution, the following :

Whereas, the citizens of the 2d district of Muscogee, now Marion county, having petitioned against a re-survey of said district—

*Be it therefore resolved*, that a re-survey would be inexpedient and unnecessary ;

And on agreeing to the same,

The yeas and nays were required, and it was decided in the negative.

The yeas are 33—the nays are 34.

Those in the affirmative are, messrs.

Allen	Branham	Harlow
Avery	Brown of Camden	Holloway
Baber	Brown of Monroe	Loyall
Bailey	Daniell	McAllister
Baker	Devereux	McDougald

McRae  
Mealing  
Mercer  
Miller  
Mitchell  
Mobley

Mancrief  
Neel  
Nisbet  
Ray  
Sheffield  
Stapleton

St. George  
Surrency  
Thomas of Lee  
Waldhauer  
White  
Williams

Those in the negative are, messrs.

Anderson  
Black  
Blackstone  
Bowen  
Burch  
Cargille  
Clayton  
Cleveland  
Cone

Echols of Walton  
Ector  
Faris  
Fullwood  
Graham  
Groves  
Hall  
Henly  
Parrish  
Prior  
Singleton

Smith  
Spann  
Stewart  
Swain  
Temple  
Tennille  
Ware  
Wells  
Wofford  
Wood  
Wooten

Dean  
Dunagan  
Echols of Coweta

The substitute offered by Mr. Temple was then read again and agreed to.

On motion by Mr. Ector,

*Resolved*, that his Excellency the Governor be requested, and he is hereby authorized to have the several Portraits and other ornamental hangings in the Senate and Representative Chambers, secured by transparent veils as will preserve them from dust or other accidental causes: and that he pay for the same out of the contingent fund.

The bill to abolish Penitentiary confinement in this State, except in certain cases and for other purposes therein specified, Was ordered to lie on the table till called up.

The Senate took up the report of the committee of the whole, on the bill to make null and void all contracts made and entered into in writing or otherwise between party or parties plaintiff or defendant, and attorney or attorneys at law, where the said attorney or attorneys shall fail to attend to the suit or suits which he or they contracted to do until the rendition of a judgment.

The report was amended and agreed to; and on the passage of the bill,

The yeas and nays were required, and  
Are yeas 38—nays 31.

Those in the affirmative are, messrs.

Anderson	Echols of Walton	Stewart
Black	Everett	Surrency
Blackstone	Faris	Swain
Bowen	Fullwood	Thomas of Appling
Burch	Graham	Thomas of Lee
Cargille	Hall	Temples
Clayton	Holloway	Waldhauer
Cleveland	Miller	Ware
Cone	Mobley	Wells
Dean	Sheffield	White
Devereux	Singleton	Wofford
Dunagan	Smith	Wood
Echols of Coweta	Spann	

Those in the negative are, messrs.

Allen	Henly	Nisbet
Avery	Hines	Parrish
Baber	Loyall	Prior
Bailey	McAllister	Ray
Baker	McDougald	Stapleton
Branham	McRae	St. George
Brown of Camden	Mealing	Tennille
Daniell	Mercer	Towns
Ector	Mitchell	Williams
Groves	Neel	Wooten
Harlow		

So the bill passed under the title of a bill to make null and void all contracts made and entered into in writing or otherwise between party or parties plaintiff or defendant, and attorney or attorneys at law, where the attorney shall fail or neglect to attend to the suit or suits, which he or they contracted to do in person or by some competent attorney, until the rendition of a judgment.

The Senate again resolved itself into a committee of the whole, Mr. Bailey in the Chair, on the bill to raise a permanent fund for the support of common schools in the State of Georgia; and having spent some time therein, the President resumed the Chair, and the bill was reported without amendment.

Ordered, that the report be the special order of the day for to-morrow.

The bill to regulate the town of Jefferson, in the county of Camden; and

The bill to incorporate the Oak Ridge Academy, in Talbot county, and appoint commissioners for the same,

Were read the third time and passed.

The following bills were read the 2d time and ordered for committees of the whole :

A bill to add a part of the county of Meriwether to the county of Harris.

A bill to add a part of Carroll county to Heard county ; and

A bill to reduce the tax on swamp land, subject to overflow.

The bill to separate and divorce Robert Hamet and Rebecca Hamet, his wife, was read the third time, and on the question, shall the bill pass ?

The yeas and nays were required, and there not being a constitutional majority, the bill was lost.

The yeas are 41—the nays are 24.

Those in the affirmative are, messrs.

Bailey	Graham	Smith
Bowen	Groves	Stapleton
Branham	Hall	Stewart
Brown of Camden	Harlow	Swain
Brown of Monroe	Henly	Thomas of Appling
Bryan	Hines	Thomas of Lee
Cargille	Holloway	Temples
Cleveland	Johnson	Tennille
Dean	Loyall	Towns
Devereux	Miller	White
Echols of Coweta	Muncrief	Williams
Echols of Walton	Parrish	Wofford
Ector	Prior	Wood
Faris	Ray	

Those in the negative are, messrs.

Anderson	Dunagan	Sheffield
Avery	Fullwood	Singleton
Baker	McAllister	St. George
Blackstone	Mealing	Surrency
Boykin	Mercer	Ware
Burch	Mitchell	Wells
Clayton	Mobley	Woolfolk
Cone	Neel	Wooten

The bill to regulate the poll tax of this State, so far as relates to our free white population paying a tax,  
Was read the 2d time, and

On motion, that the same stand for committee in June next,  
The yeas and nays were required, and it was decided in the affirmative;

The yeas are 43—the nays are 26.

Those in the affirmative are, messrs.

Allen	Devereux	Prior
Avery	Hall	Ray
Bailey	Harlow	Sheffield
Baker	Johnson	Singleton
Bowen	Loyal	Smith
Boykin	McAllister	Stapleton
Branham	McRae	Stewart
Brown of Camden	Mealing	St. George
Brown of Monroe	Mercer	Tennille
Bryan	Mobley	Wells
Cargille	Muncrief	White
Cleveland	Neel	Williams
Daniell	Nisbet	Wofford
Dean	Parrish	Wooten

Those in the negative are, messrs.

Anderson	Faris	Surrency
Blackstone	Fullwood	Swain
Burch	Groves	Thomas of Appling
Clayton	Henly	Thomas of Lee
Cone	Hines	Temples
Dunagan	Holloway	Towns
Echols of Coweta	McDougald	Ware
Echols of Walton	Miller	Wood
Ector	Mitchell	Woolfolk

The Senate adjourned until 3 o'clock, P. M.

### *WEDNESDAY, 3 o'clock, P. M.*

The Senate resolved itself into a committee of the whole, Mr. Blackstone in the Chair, on the bill for the relief of Thomas G. Gordon; the President resumed the Chair, and the bill was reported with an amendment by way of substitute;

The Senate took up and agreed to the report, the bill was read the third time under the caption of a bill to repeal the 4th section of the 8th division of an act assented to 20th Dec. 1817, to amend



the penal code of this State ; also the 3d section of an act assented to 19th December, 1818, to repeal the act passed 16th December, 1811, and the act passed on the 19th December, 1816, on the subject of the penal code of this State, and to amend the act passed the 20th Dec. 1817, entitled an act to amend the penal code of this State; also an act to alter and amend the additional oath required by law, to be taken by all officers, civil and military, to prevent the offence of duelling, assented to, Dec. 19th, 1828;

On its passage,

The yeas and nays were required to be recorded, and  
Are yeas 39—nays 29.

So the bill passed.

Those in the affirmative are, messrs.

Anderson	Ector	Smith
Avery	Faris	Stewart
Bailey	Fullwood	Swain
Blackstone	Harlow	Thomas of Appling
Bowen	Henly	Thomas of Lee
Boykin	Hines	Temples
Brown of Camden	Holloway	Towns
Brown of Monroe	Johnson	Waldhauer
Burch	McAllister	Wells
Cargille	McDougald	Williams
Daniell	Miller	Wofford
Dean	Mitchell	Wood
Devereux	Prior	Woolfolk

Those in the negative are, messrs.

Allen	Groves	Ray
Baker	Hall	Singleton
Branham	Loyall	Stapleton
Bryan	McRae	St. George
Cleveland	Mercer	Surrency
Cone	Mobley	Tennille
Dunagan	Muncrief	Ware
Echols of Coweta	Neel	White
Echols of Walton	Nisbet	Wooten
Everett	Parrish	

The Senate resolved itself into committee of the whole, on the bill to lay out the gold region in the lands at present in the occupancy of the Cherokee Indians, into small lots and dispose of the same by separate lottery : mr. Echols of Walton, in the Chair, the President resumed the chair, and Mr. Echols reported progress, and obtained leave to sit again.

The Senate resolved itself into committee of the whole, on the bill amendatory of the several laws now in force in this State, relative to the pilotage of the port of Savannah, and to regulate the conduct of masters of vessels towards the pilots of said port; mr Brown of Camden, in the Chair: the President resumed the Chair, and the bill was reported with amendment.

The Senate took up and agreed to the report, the bill was read the third time and passed.

The Senate took up and agreed to the report on the bill for] the relief of Moses Coxe.

The bill was read the third time, and on its passage,

The yeas and nays were recorded.

The yeas are 36—the nays are 20.

So the bill passed.

Those in the affirmative are, messrs.

Allen	Dean	Muncrief
Avery	Faris	Neel
Bailey	Harlow	Parrish
Boykin	Hines	Singleton
Branham	Holloway	Thomas of Appling
Brown of Camden	Johnson	Thomas of Lee
Brown of Monroe	Loyall	Tennille
Bryan	McDougald	Towns
Cargille	McRae	Waldhauer
Cleveland	Mealing	White
Cone	Miller	Williams
Daniell	Mitchell	Woolfolk

Those in the negative are, messrs.

Anderson	Fullwood	St. George
Blackstone	Groves	Ware
Bowen	Hall	Wells
Devereux	Henly	Wofford
Dunagan	Mercer	Wood
Echols of Coweta	Prior	Wooten
Echols of Walton	Ray	

The following message was received from the House of Representatives by their Clerk, mr. Dawson.

The House of Representatives have passed the following bills :

A bill to divorce and separate Betsey Anderson and Abram Anderson.

A bill to separate and divorce Jackson Grizzard and Nancy Grizzard, formerly Nancy Kitchens, his wife.

A bill to amend and alter the oath of Bailiffs, who take charge of Special and Petit Jurors, and for other purposes; and

A bill to abolish Penitentiary imprisonment in this State, except in certain cases to change the mode of punishment for crimes and misdemeanors, and for other purposes.

The Senate resolved itself into committee of the whole, on the bill to authorize the Inferior court of Bibb county to grant an order

of contract to John Bailey, to erect a toll gate at the Tobasofka bridge, and to charge and receive toll with certain conditions and restrictions: Mr. C. . . . the President resumed the Chair, and the . . . . . substitute.

Ordered, that the report lie on the table for the present.

The Senate adjourned until half past 9 o'clock, to-morrow morning.

### THURSDAY, 15th. Dec. 1831.

On motion by Mr. Ector,

To reconsider so much of the Journal of yesterday, relative to the commitment to June next, of the bill to regulate the poll tax of this State, so far as relates to our free white population paying a tax.

The yeas and nays were required to be recorded, and it was determined in the negative.

The Yeas are 30—the Nays are 40.

Those in the affirmative are, messrs.

Black	Faris	Mobley
Blackstone	Fullwood	Singleton
Bryan	Graham	Spann
Burch	Groves	Surrency
Clayton	Henly	Swain
Cone	Hines	Thomas of Appling
Dunagan	Holloway	Thomas of Lee
Echols of Coweta	McDougald	Temples
Echols of Walton	Miller	Towns
Ector	Mitchell	Ware

Those in the negative are, messrs.

Allen	Bailey	Branham
Anderson	Baker	Brown of Camden
Avery	Bowen	Brown of Monroe
Baber	Boykin	Cargille

Cleveland	Mealing	St. George
Daniell	Muncrief	Tennille
Dean	Ncel	Waldhauer
Devereux	Parrish	Wells
Hall	Prior	White
Harlow	Sheffield	Williams
Johnson	Smith	Wofford
Loyall	Stapleton	Wood
McAllister	Stewart	Wooten

On motion of Mr. Tennille,

It was resolved that the committee on Printing, have printed 500 copies of the report of the Keeper and Inspectors of the Penitentiary, for the use of the Legislature:

And it was further resolved, that the same number of the exhibits of the several Banks be printed also.

Mr. Mitchell, from the select committee to whom was referred the petition of sundry citizens of Wayne county, on the subject of removing the court house, reported;

That owing to the lateness of the session, the subject cannot be so fully examined, as its merits requires.

Your committee therefore beg leave to be discharged from the further consideration of said petition,

Which was read and agreed to.

Mr. Mealing from the select committee, to whom was referred the claim of Barua McKinnie, the Executor and Legatee of the estate of Galphin, reported

That they have had the same under consideration, and find, from the voluminous chain of claims, and the far advancement of the session, that it is impossible to give the claim that consideration which it seems to be justly entitled to.

They therefore offer the following resolution :

*Resolved*, That the committee be permitted to withdraw from the further consideration of the claim.

Which was read and agreed to.

Mr. Stapleton from the committee appointed, reported a bill to authorise William Smith, Trustee of the poor school fund of Lowndes county, to loan out the said fund, and to collect any and all of the said fund that is already loaned out, or otherwise due, on certain conditions.

Which was read the first time.

Mr. Dunagan laid upon the table, the following resolution :

*Resolved*, That the 24th rule of Senate, which requires two-thirds

the Senate to call up any bill or resolution out of its order, be dispensed with, the remainder of the session.

Mr. Wood submitted the following resolution :

Whereas, the Senate after a full investigation of the contested election for Decatur county, have found that there should be three votes stricken from the poll of *Daniel O. Neel*, say *Culbreth*, for non-age, *John Robertson* for non-payment of taxes, and *Daniel McSwain* for non-residence ; and there should be stricken from the poll of *Wm. Hawthorn* the contesting member, one vote, *B. Sparkman*, for non-age, which facts are fully established by the proceedings of the Senate, *journalized*, and *which have never been reconsidered or changed*, so that adding the vote of Sparkman to the poll of Neel, would, with the majority of one which, by the election returns he had, give him a majority of two votes, but when the three illegal votes, Culbreth, Robertson and McSwain, are taken from the said Neel's poll, it gives his competitor Hawthorn, a clear legal majority of one vote.

*Resolved*, That it appears by the returns from the Executive office, as well as the Journal of the Senate, that Daniel O. Neel is in the minority, of the legal votes given in at the election in Decatur county last October, for Senator—(William Hawthorn having the majority.)

Mr. Bailey proposed to amend the same, by inserting immediately before the word "found" in the 2d line of the preamble, the word "incorrectly" ; and

Mr. Henly moved to amend the proposed amendment of Mr. Bailey, by prefixing the words "have not" before the word "incorrectly"—when

Mr. Stewart moved the previous question.

And on the question being asked, shall the main question be now put ?

The same was decided in the affirmative.

Whereupon, the main question was then put, on agreeing to the Preamble and Resolution, as submitted by Mr. Wood.

The yeas and nays having been required,  
Are yeas 38—nays 34.

So the question was decided in the affirmative.

Those in the affirmative are, messrs.

Anderson  
Black  
Blackstone

Bowen  
Burch  
Cargille

Clayton  
Cleveland  
Cone

Dean	Hall	Swain
Dunagan	Henly	Temples
Echols of Coweta	Johnson	Tennille
Echols of Walton	Mobley	Towns
Ector	Parrish	Ware
Everett	Prior	Wells
Faris	Singleton	Wofford
Fullwood	Smith	Wood
Graham	Spanu	Wooten
Groves	Stewart	

Those in the negative are, messrs.

Allen	Harlow	Muncrief
Avery	Hines	Nisbet
Baber	Holloway	Sheffield
Bailey	Loyall	Stapleton
Baker	McAllister	St. George
Boykin	McDougald	Surrency
Branham	McRae	Thomas of Appling
Brown of Camden	Mealing	Thomas of Lee
Brown of Monroe	Mercer	Waldhauer
Bryan	Miller	White
Daniell	Mitchell	Williams
Devereux		

Mr. Nisbet then moved the following :

*Resolved*, 'That in the investigation of the contested election from the county of Decatur, although in the decision of the question in-detail, a majority of votes were given to Hawthorn by vote of the Senate, yet upon the taking the final question, upon resolution declaring Mr. Hawthorn duly elected, the Senate declared Mr. D. O. Neel, duly elected the Senator from the county of Decatur.

Mr. Stewart moved to amend the same by adding the words " notwithstanding Mr. Hawthorn had a majority of legal votes"—and

Mr. Bailey proposed to amend the amendment, by inserting the word " not" before the words " a majority"—so that it would read that Mr. Hawthorn " had *not* a majority of legal votes."

When Mr. Tennille moved that the resolution and the several amendments offered, lay upon the table for the remainder of the session.

The motion was decided in the affirmative ; and the yeas and nays having been required,

Are Yeas 37—Nays are 35.

Those in the affirmative are, messrs.

Anderson	Ector	Singleton
Black	Everett	Smith
Blackstone	Faris	Spann
Bowen	Fullwood	Swain
Burch	Graham	Temples
Cargille	Groves	Tennille
Clayton	Hall	Towns
Cleveland	Henly	Ware
Cone	Johnson	Wells
Dean	Mobley	Wofford
Dunagan	Parrish	Wood
Echols of Coweta	Prior	Wooten
Echols of Walton		

Those in the negative are, messrs.

Allen	Harlow	Nisbet
Avery	Hines	Sheffield
Baber	Holloway	Stapleton
Bailey	Loyall	Stewart
Baker	McAllister	St. George
Boykin	McDougald	Surreney
Branham	McRae	Thomas of Appling
Brown of Camden	Mealing	Thomas of Lee
Brown of Monroc	Mercer	Waldhauer
Bryan	Miller	White
Daniell	Mitchell	Williams
Devereux	Munierief	

On motion of Mr. Daniell,

*Resolved*, That the testimony in the case of the contested election from Decatur county, be placed upon the Journals.

Mr. Dunagan presented a petition from Jacob M. Scudder, praying to be allowed chances for draws in the contemplated Land Lottery of this State; which was read and referred to a select committee, consisting of Messrs. Dunagan, Woolfolk and Cleveland.

Mr. Smith moved that the Senate now take up the resolution, calling on the committee of Privileges and Elections for information in relation to contested elections, which was laid on the table a few days past.

Whereupon the Senate took up said resolution, laid upon the table on the 12th inst. and having read it the same was agreed to.

Mr. Daniell had leave to introduce instantler, a bill to alter and amend the several acts now in force, in this State, regulating the

fees of the public officers of this State, so far as respects the fees of the Sheriff and jailor of Chatham county, and for repealing certain parts of the same.

Which was read the first time.

On motion by Mr. Echols of Walton,

The special order was suspended, and the bill of the House of Representatives, to alter and amend "an act to authorise the survey and disposition of the lands within the limits of Georgia, in the occupancy of the Cherokee tribe of Indians, and all other unlocated lands within the limits of said State, claimed as Creek land, &c." and to order the immediate survey, distribution and occupancy of the territory aforesaid, was read the 2d time, and ordered for committee of the whole, on Tuesday next; and 200 copies to be printed for the use of the Senate.

The Senate took up the report of the committee of the whole, on the bill to raise a permanent fund for the support of common schools in the State of Georgia.

Mr. Wofford offered as a substitute to the report, "a bill to create and make permanent, a fund for the establishment and support of common schools throughout the State of Georgia," as follows:

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same, That from and immediately after the entire survey of that part of the territory now in the occupancy of the Cherokee Indians, shall have been completed, all fractional lots of land therein, shall and the same are hereby set apart and reserved for the purpose of raising a permanent fund, to be denominated and known in future as the common school fund of the State of Georgia."*

Mr. Echols of Walton, moved to amend the substitute by inserting in the body thereof the words "*under one hundred acres*" after the words "all fractional lots of land" so that all fractional lots of land, under one hundred acres, shall be set apart and reserved for the purpose aforesaid.

And on the question of agreeing to said proposed amendment,

The yeas and nays were required to be recorded; and it was decided in the affirmative.

The yeas are 37—the nays are 30.

Those in the affirmative are, messrs.

Anderson  
Black  
Blackstone

Bowen  
Bryan  
Burch

Cargille  
Clayton  
Cleveland



<b>Cons</b>	<b>Groves</b>	<b>Spann</b>
<b>Dean</b>	<b>Hall</b>	<b>Stewart</b>
<b>Dunagan</b>	<b>Henly</b>	<b>Swain</b>
<b>Echols of Coweta</b>	<b>Johnson</b>	<b>Temples</b>
<b>Echols of Walton</b>	<b>Mobley</b>	<b>Tennille</b>
<b>Ector</b>	<b>Muncrief</b>	<b>Ware</b>
<b>Everett</b>	<b>Parrish</b>	<b>Wells</b>
<b>Faris</b>	<b>Prior</b>	<b>Williams</b>
<b>Fullwood</b>	<b>Smith</b>	<b>Wofford</b>
<b>Graham</b>		

Those in the negative are, messrs.

<b>Allen</b>	<b>Holloway</b>	<b>Sheffield</b>
<b>Avery</b>	<b>McAllister</b>	<b>Singleton</b>
<b>Baber</b>	<b>McDougald</b>	<b>Stapleton</b>
<b>Bailey</b>	<b>McRae</b>	<b>St. George</b>
<b>Baker</b>	<b>Mealing</b>	<b>Thomas of Appling</b>
<b>Branham</b>	<b>Mercer</b>	<b>Towns</b>
<b>Brown of Camden</b>	<b>Miller</b>	<b>Waldhauer</b>
<b>Daniell</b>	<b>Mitchell</b>	<b>White</b>
<b>Devereux</b>	<b>Neel</b>	<b>Wood</b>
<b>Harlow</b>	<b>Nisbet</b>	<b>Wooten</b>
<b>Hines</b>		

The bill was then read the third time and passed.

The following message was received from the House of Representatives, by their clerk, mr. Dawson.

The House of Representatives have concurred in the resolution of Senate recommending General Jackson for re-election to the Presidency of the United Staets, with an amendment by substitute.

They have agreed to the report of the committee on Finance, on the report of Washington Poe, Esq. States' Agent, &c.

To the report of the committee on Finance, in favor of George W. Moore, Esq.

To the report of the committee upon the removal of Benjamin H. Sturges, one of the sectional Surveyors, appointed to run up the Cherokee territory, into sections and districts.

To the report of the committee on the petition of Pearson Petit, &c.

They have also agreed to a resolution authorising and empowering the Governor to furnish the different voluuteer companies of of this State with the necessary arms.

And have passed a bill to regulate slaves in the county of Burke, and for other purposes.

The Senate took up and amended the report of the committee of the whole, on the bill to authorise the Inferior court of Bibb county, to grant an order of contract to John Bailey, to erect a toll gate at the Tobiasofka Bridge, and to charge and receive toll, with certain conditions and provisions.

The bill was then read the third time and passed.

The Senate took up the reconsidered report and resolution of the select committee, to whom was referred the petition of sundry citizens praying an appropriation for the purpose of building necessary bridges across the Lagoons at Beards Bluff, on the Altamaha.

Mr. Cone offered the following as a substitute:

*Be it resolved*, That so soon as the public hands employed on Rail road creek, shall have completed the same, and thereafter, have worked eight weeks on the Bull town road, leading from Fort Barrington to Samuel Jones' in Liberty county, the said hands shall be next employed in building or repairing the following bridges, to wit: one across Black creek, one across Scull creek, and one across Lot creek, in Bullock county; and to open a road from Oneals Ferry on the Cawoochee river, to Beards Bluff on the Altamaha river.

The said hands to be under the joint direction of the principal Superintendant and the Inferior courts of the counties where the work is to be done.

Mr. Anderson moved that the report and substitute lay upon the table for the remainder of the session.

The yeas and nays were required to be recorded, and the motion was decided in the affirmative.

The Yeas are 35—the Nays are 32.

Those in the affirmative are, messrs.

Anderson	Dunagan	Mitchell
Avery	Echols of Coweta	Mobley
Baber	Echols of Walton	Muncrief
Bailey	Fullwood	Parrish
Baker	Graham	Prior
Blackstone	Groves	Singleton
Bowen	Henly	Ware
Branham	Holloway	Wells
Brown of Camden	McAllister	White
Brown of Monroe	McDougald	Wofford
Burch	Mealing	Wooten
Cargille	Miller	

Those in the negative are, messrs.

Allen	Harlow	Stapleton
Black	Hines	Stewart
Clayton	Johnson	St. George
Cleveland	Loyall	Surrency
Cone	McRae	Swain
Daniell	Mercer	Thomas of Appling
Devereux	Neel	Temples
Ector	Nisbet	Tennille
Everett	Sheffield	Williams
Faris	Smith	Wood
Hall	Spauld	

The Senate took up the report of the joint committee on the State of the Republic, as relates to the enforcement of the law making it penal, under certain restrictions, for white persons to reside within the limits of the Cherokee nation.

And the same having been read, was agreed to *unanimously*, and is as follows :

The committee to whom was referred so much of his Excellency the Governor's communication, as relates to the enforcement of the law, making it penal under certain restrictions, for white persons to reside within the limits of the Cherokee Nation : together with the documents in relation to that subject ; have bestowed upon the subject, such reflection, and given it such investigation, as its importance merits. It does not appear to your committee, so far as the people of Georgia are concerned, at all necessary, to enter into a defence of this measure of the Government. Our people with one accord, your committee believe, approve both the policy of the law and the manner of its enforcement. The policy of the State, towards the Cherokee tribe of Indians—in regard to the unsettled lands within her limits, and particularly in reference to the missionaries who have made themselves obnoxious to the penalty of the act of the last Legislature ; has been, and still is already the subject of misrepresentation, and the theme of vituperation. We have been represented, as usurping rights, which belong to the Indians, as exercising dominion over a people, free and independent ; and as disregarding the sacred character and holy functions of the missionaries of the cross. A regard to the moral sense of the people of the Union, and a just respect to the character of the State, your committee believe, require, that, upon this subject, facts should be exhibited, and the principles of action, which have governed the state, should be well understood.

By a law of the state, passed at the last session of the General Assembly, all white persons, except agents of the United States, are prohibited from residing within its territory, occupied by the Cherokees, unless authorised by licence from the Governor or his

agent, upon taking an oath to support the constitution and laws of this State. The right of the state to pass this law, results as a necessary consequence, to the right which she has to the soil and jurisdiction, over the Cherokee lands—Her right of jurisdiction is co-extensive with her chartered limits, and embraces the persons and things, within those limits. No enlightened jurist of the present day, no one familiar with the custom, which has governed all the states of the Union, who have had Indian tribes within their limits, or who is conversant with the policy of the Federal Government, since the administration of Mr. Monroe, will for a moment doubt, the right of the state, to extend her criminal laws over the whole of her chartered limits—this is not a vexed question.—At all events, its elucidation, does not constitute a part of the duty of your committee upon the present occasion.

The reason and necessity of the law, are as obvious as the right to enact it. A leading object with the General Government has been, for many years, the removal of the Cherokee Indians West of the Mississippi. This has been held by the most benevolent, and also, the most distinguished of our statesmen, the only means left to the Government, to save the wretched remnants of this once numerous and powerful nation, from moral ruin as individuals, and total extinction as a tribe—Year after year, the tribes within the states, have been seen to decrease in numbers, and to sink lower and lower in crime, depravity and sin. The parental arm of the Government, has been extended to their relief, and the Federal and State Governments, have united their efforts to remove them from their present habitations, and locate them beyond the Mississippi. There, under the protection of the Government, and free, alike from the crimes and the cupidity of the white man, to live in their own peculiar way, the happy and lordly masters of the Forest.

It was an object of peculiar interest to Georgia, to acquire a speedy possession of her Cherokee lands. Too long had the Government delayed to liquidate the Indian possession. She had become justly jealous of her rights, and her people, had become impatient of the restraints imposed by the delay of the Federal Government to fulfil her treaty obligations. The Cherokee tribe had assumed the attitude of an independent nation; with Government and laws distinct from, and independent of the state authority—The discovery of immense mineral wealth, within the limits of the nation, acting upon the avarice and cupidity of men, had brought into the territory, a numerous body of men, lawless, abandoned, and hostile to the policy of the state. These circumstances imperiously asked of the state decisive and prompt action, and on these accounts, she enacted laws, abrogating the Cherokee Government, making it penal to dig gold, and punishing a residence within the territory, unless the resident would take an oath to observe the constitution and laws of the state. The exclusion of all white persons from the Cherokee lands, was the dictate of policy and necessity—It was well ascertained that the efforts of whites, resident in the nation, were directed to a prevention of the

removal of the Indians—They dissuaded the Indians from emigrating, encouraged them in their ideas of independence, misrepresented the policy and intents of the Government, and thwarted by all the means, within their power, the views of the state. It became necessary therefore, that the state should abandon her policy and cease her efforts to remove the Indians, or rid herself, of the selfish, and corrupt whites who had settled among them. Hence the passage of the act, making it penal to reside within the limits of the land occupied by the Cherokees, without a licence, and without taking an oath to observe the constitution and laws of the state. The oath and the licence, it was thought, would be a sufficient protection of the policy of the state, from any attempts to defeat it, by such as might think proper to remain. To such as were well disposed to the benevolent views of the State, the oath would be no stumbling block, whilst it would exclude such as were hostile to her interest and her policy. And the fact of permitting a residence there upon such terms, proves conclusively that the law was intended to operate upon such only, as were defeating the great objects of the state. Removal of the whites, was not so much desired, as the destruction of that influence, which was at war with the interest of Georgia.

It is worthy of remark, that the Federal Government, acting "*in loco parentis*" to the Indians, delegated to her Indian agents more power over whites, resident in the nation, than Georgia seeks to exercise, in the enforcement of her law. They were instructed by order from the War Department in the following words: "You are to allow no white person to enter and settle on the Indian lands within your agency, who shall not on entering present to you, approved testimonials of his good character for industry, honesty and sobriety; nor then without the consent of the Indians. And if after permission is given under such testimonials, the person or persons to whom it is given, shall become lazy, dishonest, intemperate, or in any way setting vicious examples before the Indians; exciting them against each other, or *inflaming their jealousy and suspicion against the General Government*, or any of its acts *towards them*, or attempting to degrade in their eyes the agents of government, thereby destroying their influence over the Indians by false accusations or otherwise, you will forthwith order such person or persons out of the Indian country." It is here seen, that Georgia, in her sovereign character, and in the exercise of an indubitable right, has scarcely assumed as much power over these persons, as the Federal Government thought proper to commit to her agents, who were to a great extent irresponsible—Both governments had mainly in view the same object, in the suppression of any influence among the Indians, adverse to their benevolent designs towards them, and yet not a few of those who admit and justify the measures of the General Government, condemn and reprobate the law of this State. Your committee are of opinion that when this matter is understood, it will be admitted that all which Georgia has done, was made necessary in order to effect the removal of the Indians.

Let those too who clamor so much about Indian rights, and who weep so much over Indian sufferings, know, that this law was necessary to the protection of the persons and property of the Indians, from the violence, the intrigue and the corruptions of the whites—Here it is well understood, that white men are the greatest enemies to the Indians, whether in the character of the selfish, avaricious and ambitious resident within their limits, or the character of the political knave, or canting fanatic without their limits. At no time have Indian rights been better protected, and at no time has the Cherokee tribe, exhibited more evidence of peace, quiet and protection; than since the extension of our laws over them. The Georgia jurisdiction, has been their shield. Not only so, but the law, excluding the whites, was intended to extend and does now extend protection to those who are willing to evade its penalties, by complying with its terms. The laws and character of the State, are a guarantee to such, of more of right, than they ever enjoyed there—By a strange perversion of principle, or a wretched ignorance of facts, a mild and benevolent policy has been corrupted into the veriest despotism—and that law, which created a right for the white man in the Cherokee country, which he had not before, and protected him in the enjoyment of it, has been denounced as arbitrary, unjust and unholy. At no time under the intercourse laws, have the Indians been so effectually protected and at so little cost, as under the laws of Georgia. Your committee have said, that the act of the General Assembly was necessary to carry into effect the benign policy of the state, in reference to the Indians, that it operated as a protection to them, from the rapacity and violence of the whites, and that so far from its being an unwarrantable proscription of them, it actually conferred privileges which, of right, they have not before possessed. The latter position is made manifest, by adverting to the fact, that before the passage of the act, no white citizen, could claim his residence there as matter of right; but the moment he complied with the reasonable requisitions of the law, he became, *ipso facto*, entitled to such residence and all the benefits it conferred. It is true, that many were upon the soil at the moment of passing the act, but their residence was assumed, and only tolerated by the state. They were only residents at the sufferance of the State. The missionaries themselves will not deny, but that their condition, in the Cherokee nation, under the jurisdiction of Georgia, was greatly preferable, to what it was under the dominion of the agents of the United States.

The law which has excited so much feeling, among our brethren of the eastern states, is not, partial or exclusive in its operation. The first citizen of Georgia, the most abandoned of the refugee adventurers for gold, as well as the meek and law abiding Moravian Missionary, are within its provisions—all classes, all grades, and all professions are alike liable to its penalties. Our laws in this, as well as all other cases, aims at no individual or individuals, and recognises no exemptions. And had the most talented, or the most dignified of our sons, resided within the limits of our lands in the possession of the Cherokee Indians, without

having taken the oath; the law would have been administered upon such an one, with unsparing rigor and unrelenting severity. Your committee therefore, declare that no objection can be urged against the State, with any propriety, upon the score of its inequality, for the state made all men "equal under the law."

The law of the last Legislature, herein adverted to, did not according to its provisions, take effect immediately. The commencement of its operation was fixed, at a time, sufficiently remote to put all persons interested upon their guard; and ample opportunity was afforded, for a knowledge of its existence and of its provisions—No man was entrapped, and all who offended against it sinned against the authority of the state, with a perfect knowledge of the consequences. Most of those persons who were residents of the Cherokee country, either removed from the State or submitted to the requirements of the law. The board of Directors of the United Brethren's mission at Salem, believing that the object of their mission to the Cherokees, under the peculiar circumstances of the state, and the Indians, could not be effected, instructed their missionaries to remove from the country. Acting as your committee believe, from a sense of respect to the laws and authorities of Georgia, they were unwilling to interfere with her laws or her policy. In the conduct of these unobtrusive and devoted missionaries of the Cross, is exhibited in bold relief, the pure and sublime principles of our holy religion. Some there were however, who refused to remove from our limits and who refused to comply with the conditions of residence, prescribed in the law. These individuals were either missionaries, or persons who were under their influence and acted under their advisement. The most conspicuous and talented of these individuals are the Rev. S. Worcester and Dr. E. Butler, missionaries of the American board of foreign missions.

These persons had long been conversant with the policy of the General Government, and with the rights as well as the laws of Georgia. The law, to whose penalty, they became obnoxious was known to them. The law had raised within their hearing, its warning voice, and admonished them of their duty; but the Governor of the State, reluctant to enforce upon them, the penalty of the law, respecting their sacred profession, and respecting still more the most holy cause in which they were engaged; kindly and politely, and in the spirit of forbearance, warned them, yet again of their crime and invited them away from their own ruin. A personal address was made to each of them by his Excellency, and ten days given for their removal—all this did not avail. They not only persisted in their illegal residence, but ventured upon justification of their crime in an address to the Executive of the State. Orders were then given to arrest them; that they might feel the full penalty of our laws "since such was their voluntary choice." They were arrested, tried and convicted, and are now inmates of the state prison, they suffered the melancholy doom, which their perverse obstinacy, or misguided zeal has brought upon them.

What reproach could be cast upon the state for their conviction, and what justification or extenuation can be had for their violation of the laws of the state? None. No man would hesitate to pronounce them the wilful perpetrators of their own misfortunes. If it be said that they were residents upon those lands by permission of the United States Government, and therefore the state had no right to punish them; your committee answer, that the Government of the United States, has no power to bestow a right, which is adverse to the rights of Georgia, and that this permission was good to them so long as the state acquiesced in it, and no longer; and the enacting of the law, making the residence criminal, is a declaration of the state's dissent to it. If it be said that their residence was by permission of the Indians and therefore the state could not make it penal,—your committee answer; the Indians, it is true, have a right of occupancy; but this right of occupancy, is personal to themselves and can not be by them delegated, to any person whatever; therefore their consent to a residence is no justification. The ultimate fee to the lands, is in Georgia, and so far as Georgia and all the world (except the Indians) is concerned, she is the absolute, unqualified owner.

As your committee before remarked, the right of Jurisdiction is in Georgia, and of consequence there is no limit to her right of penal enactment. The state owned the lands, and it was perfectly competent for her, to prescribe such terms to residence upon them, as she deemed fit and expedient. It will not be denied that the state has the right to prescribe such conditions to a residence, upon the state-house square in the town of Milledgeville as she may think fit. So far as all the world, except the Indians, is concerned, there is no difference between the title, which the state has to her state-house square, and her title to the Cherokee lands. In either case the grant is in her, and can never be divested but by her own act. If it is said that the state did require, the missionaries to take an oath, which in conscience they could not take, or suffer the penalty of the law; your committee answer, that the state involved the missionaries in no such desperate dilemma. If the oath was taken it was a voluntary act, and the oath could have been avoided, by removal from our limits. If the penalty was suffered, it was a voluntary act; which might have been avoided, either by taking the oath, or removing from the limits. The missionaries were left free to choose between the oath, the penalty of the law and removal, and they chose the penalty of the law. Why then should the state be censured for an act, which was the result of choice, on the part of the missionaries? and which your committee fear was sought by them, either for the purposes of political effect, or to exhibit themselves, to a sympathizing fraternity, as sufferers for righteousness' sake.

They surely can not claim for themselves exemption from the operation of the laws of the state by reason of their profession or their vocation. The laws of Georgia interfere not with the



religious privileges, or conscientious opinions of men—and the state lends her aid, to all efforts, for the dissemination of the truths of revelation, she is the auxilliary of the missionary, in teaching the Heathen the great truths of Christianity; and her constitution and laws are based upon the principles and doctrines of him who spake as never man spake. Still the law is no respecter of persons—and he who violates it, whether Jew or Gentile, Christian or Infidel, Mahometan or Pagan, must expect to meet its sanctions and feel its penalties. It is for the missionaries to reconcile their precepts with their practice, and prove to the world, that the religion which they profess allows, much less encourages, disobedience, to laws, insubordination, and resistance to the powers that be. It remains for them to show that resistance to rightful civil authority is either a Christian duty, or a Christian privilege—that things which are Cæsar's, are not to be rendered to Cæsar, and that conscientious scruples can defeat the operation of laws, or stay the hand of Government. If the opinion of every subject, as to the constitutionality of the laws under which he lives, can exempt him from their operation, then is Government a mockery, and lawgivers, Judges and Governors, the merest toys to be sported with according to the whims and caprices of individuals. In the letters of these persons to the Governor, the reason of their refusal to obey the laws of Georgia, is assigned to be, that they did not believe the state had the right of Jurisdiction over the country, and believing as they did, they could not do violence to their consciences by taking the oath. Your committee believe, that scruples as to the oath, should have removed all scruples as to their duty to remove. They cannot deny the right of all men, to judge for themselves, of the constitutionality, or propriety of any law; but it is a new idea, that the law, as to such an one so judging, is to fail of its effect and become a nullity. Those who do assume this original, natural right, and act upon it, as the missionaries have done, must expect to suffer as they are suffering, the consequences of their rash judgment.

The Rev. S. A. Worcester and Dr. E. Butler, were warned of the existence of the law they have violated. They were politely invited to remove and time given for their removal. They resisted the authority of the state, and repelled with disdain, the kind offices of the Governor in their behalf. They were arrested, defended by enlightened counsel, tried before a court distinguished for its legal wisdom and its benevolent feeling, and convicted and sentenced. Still the authority of the state followed them with anxious solicitude to relieve them, still kindness and mercy and forbearance, would have stayed the execution of the sentence. At the Gate of the Penitentiary, they were met with the offer of pardon, upon the easy terms of removal from the territory, or taking the oath. This offer they repelled—These overtures of mercy they heeded not, and entered the Penitentiary, a living monument of fanaticism, political knavery, or egregious folly.—Notwithstanding *all these things*, Georgia has been ranked among the Despotisms of the East, and her late benevolent, honest and

talented Governor, placed among the Neroes, Dionysiuses, and Dracos of infamous memory. From the enlightened, the candid and the pious of all parties and all creeds, the state must receive a judgment, not only of acquittal of error or crime, but of high commendation.

*Resolved*, That the committee recommend, and do hereby recommend, to the General Assembly, the printing of forty copies of this report, for each member of the state delegation in Congress, and that his Excellency the Governor be, and he is hereby requested to forward to our delegation in Congress, forty copies each, of the report.

The Senate took up the report of the committee on Finance, laid upon the table the 10th inst. ; and having amended the same, it was agreed to, and is as follows :

The committee on Finance, to whom was referred the Governors communication, concerning a report of Col. Joseph Jackson, agent for the State, to enquire into and report, on the actings and doings of the commissioners of pilotage for the port and city of Savannah, (there being no other documents submitted,) have had the same under consideration, from which it appears, that the said commissioners have deviated from Legislative enactments ; and as no explanation has been rendered, by them, with a view to justify the course they have pursued.

Your committee offer the following resolution :

*Resolved*, That the prosecuting officer of the State for the Eastern circuit proceed to a judicial investigation of the conduct of the commissioners of pilotage for the city of Savannah, and report the result when the business is completed.

On motion by mr. Towns,

*Resolved*, That the Secretary of Senate be authorised to employ an enrolling clerk, to assist in the performance of the duties of his office.

The Senate then adjourned until 3 o'clock P. M.

*THURSDAY, 3 O'CLOCK P. M.*

The Senate met pursuant to adjournment.

The following bills of the House of Representatives, were read the second time and ordered for a third reading :

A bill to authorize Thomas S. Swain to establish a ferry on his own land, opposite Jacksonville, on the Ocmulgee river, in the county of Telfair.

A bill to amend the Patrol laws of this State, so far as respects the county of Camden.

A bill to separate and divorce Lewellin M. Robinson and Amelia E. Robinson, his wife.

A bill to separate and divorce Jackson Grizzard and Nancy Grizzard, formerly Nancy Kitchens, his wife.

A bill to separate and divorce Nathaniel Ray and Mary Ray, his wife.

A bill for the relief of William Quinn.

A bill to authorize each of the religious societies of Milledgeville, to rent or sell their parsonage lot.

A bill to amend an act passed the 22d of December, 1829, making Constables elective by the people, and to raise their fees, so far as respects the county of Camden.

A bill to separate and divorce Jacob Weaver and Catharine Weaver, his wife.

A bill to separate and divorce Mary Coxe and Thomas J. Coxe, her husband.

A bill to authorise Larkin Wilson to erect a toll bridge across the Towaliga river, in Monroe county.

A bill to separate and divorce Mary Ann Foard and John Foard, her husband. &

A bill to divorce Polly C. Patterson and Chesley R. Patterson, her husband, and to change the name of said Polly C. Patterson.

The following bills of the House of Representatives were read the 2d time and ordered for committees of the whole :

A bill for the relief of Daniel Gray of Upson county.

A bill for the relief of Edmund Pucket.

A bill to establish election precincts or districts, in the several counties herein after named, in addition to those already established, at the several places therein specified, and to punish those who may attempt to violate the provisions of the same.

A bill to appoint commissioners to survey and lay out a public market road from Columbus on the Chattahoochee, to St. Mary's in Camden county.

A bill to alter the times of holding the Superior courts, in some of the counties in the Southern circuit ; and

A bill to amend an act entitled an act to provide for the improvement of the roads and rivers of this State, passed 18th December, 1829.

The bill of the House of Representatives to manumit and set free from slavery, Sophia, a person of color, the property of Eli Fenn, and to give her a name, was read the third time and passed ;

And the Secretary ordered to carry it forthwith to the House of Representatives

The Senate resolved itself into a committee of the whole, Mr. Wofford in the chair, on the bill to authorise the Judge of the court of Common Pleas and Oyer and Terminer, for the city of Savannah, to hold special and extraordinary courts for the summary trial of causes therein enumerated, and to empower the Mayor of the city of Savannah, also, to hold such special or extraordinary courts, and to regulate seamen or mariners, and to prevent them from being harboured or running in debt ; and having spent some time therein, the President resumed the chair, and the bill was reported without amendment.

The Senate took up and agreed to the report ; the bill was read the third time and passed.

On motion by Mr. Brown of Monroe,

*Resolved, by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby resolved,* That from and after the passage of this resolution, Acholz Daniel of the county of Crawford be, and he is hereby relieved from the operation of any execution or other process which may be had against him in consequence of his having failed to pay his tax in the county of Crawford, he having paid the same in the county of Monroe.

Mr. Ector had leave to report instantler, a bill to amend an act to provide for the improvement of the roads and rivers of this State, passed in 1829, so far as relates to the appointment of overseers.

Which was read the first time.

On motion by Mr. Brown of Camden,

*Resolved, by the Senate and House of Representatives of the State of Georgia, in General Assembly met,* That his Excellency the Governor be, and he is hereby authorised to pay to John Bailey, keeper of the public arms in Jefferson, Camden county, \$72 for keeping and preserving said arms from the 1st of Nov. 1828, to the 1st of Nov. 1831, out of the military fund of 1831.

Which was read and ordered to lie upon the table.

On motion by Mr. Wofford,

The Senate took up the resolution of the House of Representatives brought by this days message, authorising and empowering the Governor to furnish the different volunteer companies of this State, with the necessary arms, &c., and the same having been read, was concurred in.

And the several bills of the message of yesterday, were read the first time.

The Senate adjourned until 1-2 past 9 o'clock to-morrow morning.

*The evidence adduced before the Senate in the contested Election of Senator from Decatur county, and ordered to form a part of the foregoing Journal.*

#### DAVID CULBRETH'S VOTE.

*State of Georgia, Decatur county ;*

In person appeared before me a Justice of the Peace for said county, David Culbreth, and after being duly sworn, deposeth and saith that at an election held at the house of L. J. Emanuels, on the 3d day of October last for Governor of the state, and a Senator and one Representative for said county, that he the said deponent, did at that time and place, from the solicitations of his friends, vote for Daniel O. Neel, for Senator for said county. And the said deponent further saith, that from the best information that he has been able to get, he shall not be twenty-one years old until the 3d day of July next.

his  
DAVID ~~x~~ CULBRETH.  
mark.

Sworn to and subscribed before me, the 22d November, 1861.  
JOSEPH DAVIS, J. P.

*State of Georgia, Decatur county ;*

In person appeared before me Joseph Davis, one of the Justices of the Peace for said county, Wyatt Parrish and James Thompson, (citizens of this county,) and after being duly sworn, deposeth and saith, on this day, they heard David Culbreth of this county, say

that he should not be twenty-one years of age until the 3d day of July next, and his brother, Henry Culbreth being present, said the same.

JAMES THOMPSON,  
WYATT PARK, SH.

Sworn to and subscribed before me, this 21st day of October, 1831.

JOSEPH DAVIS, J. P.

*State of Georgia, Decatur county;*

In person appeared before me Joseph Davis, one of the Justices of the Peace for said county, James Thompson and Thomas Parrish, and after they were duly sworn, deposeth and said, that they heard David Culbreth say, that at the late election held in the above county, at the house of L. J. Emanuels, in Capt. Miller's District, for Governor of the state and a Senator and Representative for the above county of Decatur, that he the said Culbreth, did vote for Daniel O. Neel, for Senator for said county.

JAMES THOMPSON,  
his  
THOMAS X PARRISH.  
mark

Sworn to and subscribed before me, the 21st day of October, 1831.

JOSEPH DAVIS, J. P.

*Robert McCreless's Vote.*

*Georgia, Decatur county;*

Before me a Justice of the Peace for said county, came George W. Finklea, who being duly sworn, deposeth and saith, that Robert McCreless, (one of the persons who voted at an election, held on the 3d of October, 1831, at the Court House of said county, for one Senator and one Representative, to represent said county in the Legislature of said State,) is not twenty-one years of age; and this deponent further saith, that on the day of said election, said McCreless told this deponent that he intended to slip in a vote for Daniel O. Neel for Senator, and that he was not entitled to vote in consequence of his being under the age of twenty-one; and that he was fearful if he did attempt to vote his vote would be objected to and that he would be required to swear he was of age, and that he could not so swear. And this deponent saith that said McCreless did vote at said election, and that he voted for Daniel O. Neel, for Senator, as he told this deponent immediately after he had voted. And this deponent further saith, that soon after the election he, this deponent, was at the house of said McCreless' father, and that he heard his father tell him, say McCreless, that he said McCreless knew he was not entitled to vote that he was not twenty-one years of age.

GEO. W. FINKLEA.

Sworn to and subscribed before me, this 28th October, 1831.

JOSEPH DAVIS, J. P.

*Jonathan Aldridge's Vote.**Georgia, Decatur county ;*

Personally appeared before me a Justice of the Peace for said county, David Gray a resident of said county, who being duly sworn, deposeth and saith, that Jonathan Aldridge, one of the persons who voted at the late election for Senator and Representative in the next Legislature, held in the town of Bainbridge, in said county on the 3d inst. was at the time of said election, under the age of twenty-one years—that said Aldridge came to said county about two years ago, and resided in the neighborhood of deponent, and that after his arrival, deponent proposed to have him said Aldridge enrolled on the muster list for the district where they resided—that said Aldridge then refused to have his name enrolled, and assigned as the reason for such objection, that he was not compelled, upon account of his being under age to be enrolled according to law, since which time he was enrolled on the muster list.

DAVID GRAY.

Sworn to and subscribed before me, this 27th October, 1831.

SOLOMON D. BETTON, J. P.

*Georgia, Decatur county ;*

Personally appeared John H. Gray, who being duly sworn, deposeth and saith, that he has been acquainted with Jonathan Aldridge, one of the persons who voted in the General Election for a Senator and Representative in the next Legislature at the town of Bainbridge in said county on the 3d inst., from an early age, and from his acquaintance, has just reasons to believe he, said Aldridge, is under the age of twenty-one years.—Further, that said deponent has heard the Uncle of said Aldridge say, that said Aldridge was not liable to do militia duty two years ago—that deponent knew the mother of said Aldridge before her marriage and is connected with the family of said Aldridge, which enables deponent to state the facts as aforesaid.

J. H. GRAY

Sworn to and subscribed before me, this 27th October, 1831.

SOLOMON D. BETTON, J. P.

*Georgia, Decatur county ;*

Personally appeared Howell Hearn, who being duly sworn, deposeth and saith that Jonathan Aldridge, who voted in the General Election for Senator and Representative, at Bainbridge in Decatur county, on the 3d inst. is under the age of twenty-one years ; and

that he voted for Daniel O. Neel for Senator, to represent said county in the next Legislature.

H. HEARN.

Sworn to and subscribed before me, this 4th October, 1831.

JOSEPH DAVIS, J. P.

*Counter Affidavit.*

*Georgia, Decatur County ;*

Personally appeared before me, Howell Hearn, who after being duly sworn deposeth and saith, that on the fourth day of October, 1831, while in a state of intoxication, was taken by designing persons and made swear, that one Jonathan Aldridge, on the 3d day of October, at the General Election for members to the Legislature, voted for Daniel O. Neel and Duncan Curry, and that he was under age—And this deponent further saith, that he does not recollect giving any such affidavit, nor never knew until he was told by a friend next day, nor never would of given such a one, if he had been in his perfect mind ; for this deponent further saith that he does not know who Jonathan Aldridge voted for, nor does he know his age, more than he heard him say at a previous Colonels' election, he was old enough to vote for John J. Simms, one of the candidates; further, this deponent says he knows nothing about Jonathan Aldridge.

HOWELL HEARN.

Sworn to and subscribed before me this 23d day of November, 1831.

WM. MARTIN, J. P.

*Isaiah Dykes' Vote.*

*Georgia, County Decatur ;*

Before me a Justice of the Peace for said county, came John Chason, who being duly sworn, deposeth and saith, that Isaiah Dykes, (whose name is on the list of voters, who voted at an election held at the house of John Emanuel, in said county, held on the 3d day of October, 1831, for one Senator and one Representative to represent the county aforesaid, in the Legislature of said State,) told this deponent on the 13th of August, 1831, that he said Dykes, had been for some time immediately preceding the said 13th of August, living in the Territory of Florida; and this deponent further states, that some time before the said 13th August, to wit : about the 28th July, 1831, he said deponent, obtained from one of the Justices of the 553d district G. M. an attachment against the said Dykes, in consequence of the removal of him the said Dykes, from the county aforesaid ; and this deponent is induced to believe from the facts as above stated, that said Dykes was not and had not



been for some time previous to the said 13th of August, a resident of said county.

JOHN CHASON.

Sworn to and subscribed before me, this 24th day of October, 1831.

JOSEPH DAVIS, J. P.

*Georgia, Decatur County ;*

Personally appeared before me, Joseph Davis, a Justice of the Peace for said county, Solomon D. Betton, who, after being duly sworn deposeth and saith, that he was one of the managers of the election held at the house of John L. Emanuel (or L. J. Emanuel) in said county on the 3d inst. for Governor, one Senator and representative of said county, and that at said election, Isaiah Dykes voted, and that after nearly all of the votes were counted out, that a ticket with the following names were called out—" Lumpkin, Neel and McElvy ;" and that this was the only ticket of that kind in the hat, and that the said Dykes further stated that he had come from Gadsden county, Florida, to vote for Neel and McElvy.

SOLOMON D. BETTON.

Sworn to, and subscribed before me this 27th Oct. 1831.

JOSEPH DAVIS, J. P.

*Counter Affidavit.*

*Georgia, Decatur County ;*

By William Chester, a Justice of the Inferior court of said county—personally came before me, M. W. Chrestman, and being duly sworn, saith on his oath, that he heard Isaiah Dykes say, that he voted at the General Election in said county, for Representatives to represent said county at the ensuing Legislature, and voted for William Hawthorn, for Senator ; and that he believes from common report, that his residence is at Jacob Dykes', between the Florida lines or below what is called the old line.

M. W. CHRESTMAN.

Sworn to, before me this 29th October, 1831.

WILLIAM CHESTER, J. I. C. D. C.

*John Cock's Vote.*

*Georgia, Decatur County ;*

Personally appeared before me, James Lambert and Lewis Lewis, who, after being duly sworn, deposeth and saith, that John Cock who voted at the late General Election, held in the Court-House, in the town of Bainbridge, in said county, on Monday the 3d day of October, instant, for a Senator to represent said county, and for

a Representative, Governor, &c. is illegal; for reasons, these deponents say on their oath, that the said Cock left the residence of these deponents some time in the month of May, for the Territory of Florida to establish a brick kiln at Ochesa Bluff, in said territory; and that said Cock had hired hands in this county, to take with him to Ochesa to carry on the brick-making business. And they further say, that said Cock returned from said Territory about the last of June last. And they further say that Cock said on his return that he would not reside at Ochesa any longer, at that time for reasons that if he did he might become responsible for Wright's debts, (meaning one of the workmen he took from Decatur county with him.) And these deponents further say, that they believe, and have good reasons for such belief, that said Cock voted for Gilmer, for Governor—for Daniel O. Neel, for Senator—and Dunean Curry, for a Representative. And these deponents further say, that said Cock is a transient man, who has no settled home, only when he undertakes a job of work, further, these deponents sayeth not.

JAMES LAMBERT,  
LEWIS LEWIS.

Sworn to and subscribed before me this 27th October, 1831.

JOSEPH DAVIS, J. P.

*Georgia, Decatur County;*

Before me, a Justice of the Peace for said county, came George L. Barry, who being duly sworn, deposeth & saith, that at an election, held on the 3d October 1831, at the Court-House of said county, for Governor of the State aforesaid, and for one Senator, and for one Representative to represent said county in the Legislature of the State aforesaid, he saw John Cock with a ticket in his hand and that this deponent saw upon said ticket, the following names, Gilmer, Neel, Curry. And this deponent further saith, that he saw said Cock hand said ticket to one of the superintendants of said election, and said ticket was put into the hat containing the rest of the tickets, by said superintendants.

GEORGE L. BARRY.

Sworn to and subscribed before me, this 27th October, 1831.

JOSEPH DAVIS, J. P.

*Counter Affidavit.*

*Georgia, Decatur County;*

Personally came before me, John Cock, who, after being duly sworn, deposeth and saith on oath, that he has resided in this county ever since the twenty seventh day of January last, except when absent on lawful business; and that he has claimed it as his residence ever since the date above named.

JOHN COCK.

Sworn to and subscribed to before me, the 29th November, 1831.

WILLIAM WHIGAM, J. P.

*James Moore's Vote.**Georgia, Decatur County ;*

Before me, a Justice of the Peace, for said county, came Joseph Davis, who, being duly sworn, deposeth and saith, that he was one of the superintendants of an election held at the Court-House of said county on the 3d day of October, 1831, for one Senator and one Representative to represent said county in the Legislature of said State : and that when James Moore, one of the persons who voted at said election, was about to vote, he, said Moore was asked if he had resided in Decatur county for the last six months, immediately preceeding the then election ? And the said Moore answered he had not, but that he had resided for some time, and then was residing in Baker county ; but that he claimed this (meaning the county first aforesaid as his place of residence.) And this deponent saith that his vote was received, and that he voted for Daniel O. Neel, as Senator.

JOSEPH DAVIS.

Sworn to and subscribed before me, this 27th day of October, 1831.

SOLOMON D. BETTON, J. P.

*Georgia, Decatur County ;*

Before me, a Justice of the Peace for said county, came Stering Scarborough, who, being duly sworn deposeth and saith, that James Moore, one of the persons who voted at an election held on the 3d October, 1831, at the Court-House of said county, for one Senator and one Representative, to represent said county in the Legislature of the State aforesaid, was not at the time of voting a resident of said county as he understood—that he had been at work for some time past in Baker county on a mill for my brother, Joel L. Scarborough, say something like two or three months previous to said election.

S. SCARBOROUGH.

Sworn to and subscribed before me, this the 27th day of October, 1831.

SOLOMON D. BETTON, J. P.

*Georgia, Decatur County ;*

Before me, a Justice of the Peace for the county aforesaid, came George L. Barry, who, being duly sworn deposeth and saith, that James Moore, one of the persons who voted at an election, held on the 3d day of October, 1831, at the Court-House of said county, for one Senator and one Representative, to represent said county in the Legislature of the State aforesaid, was not at the time of so voting a resident of the county aforesaid, but was at said time a re-

sident of Baker county, and had been for nearly three months immediately before that time—and this deponent further saith, that said Moore is not a man of family but a transient workman having no settled place of residence and living wherever he can obtain employment—and this deponent further saith, that to the best of his knowledge, said Moore voted for Daniel O. Neel, for Senator at said election, he having heard said Moore say he so voted, since said election.

GEORGE L. BARRY.

Sworn to and subscribed before me, this 27th day of October, 1831.

SOLOMON D. BETTON, J. P.

*Counter Affidavits.*

*State of Georgia, Decatur County;*

Being requested to state where James Moore has claimed his residence for the last two or three months, that is, ever since I employed him to work on my mill. I hired him in Bainbridge, Decatur county, to go with me in Baker county and fix my mill: but he has always claimed Bainbridge for his place of residence, and attended to vote for Colonel in Bainbridge; and also left my house a day or two before the General Election to go and vote at Bainbridge, and has uniformly claimed Bainbridge as his home since he has been at work for me.

J. L. SCARBOROUGH.

Sworn to and subscribed before me, this 19th October, 1831.

SOLOMON D. BETTON, J. P.

*Georgia, Decatur County;*

Personally appeared before me, a Justice of the Peace for said county, Jeremiah H. Taylor, who after being duly sworn, deposed and saith, that James Moore is a carpenter by trade; he has resided in Bainbridge, Decatur county, for upwards of two years, last past except such times as he has been employed as a carpenter in various parts of this county and the adjoining part of Baker; Moore boarded at his house previous to his leaving for Baker county to do a job of work for one Joel Scarborough, and told deponent at the time of his leaving that he should return immediately after completing the work and do some for him, and continue his board with him, and that the said Moore has been sued in this county, and the district in which Bainbridge is, and answered to the same as a resident of the county and district, and that he believes his residence in Bainbridge, in said county; and that he would have taken out an attachment against him, if he had not known that it would not lie on account of his residence being in said county.

JEREMIAH H. TAYLOR,

Sworn to and subscribed before me, this 1st November, 1831.

WILLIAM WHIGAM, J. P.

*Georgia, Decatur County ;*

Personally appeared before me William Martin, a Justice of the Peace of said county, James Moore, who after being duly sworn, deposeth and saith, that he is a resident of said county, paid all taxes required of him, and that at the election held in and for said county on the 3d day of October, 1831, he voted for George R. Gilmer, for Governor, Daniel O. Neel for Senator, Duncan Curry, Representative, and at said election took the oath prescribed by law in such cases.

JAMES MOORE.

Sworn to and subscribed before me, this 5th October, 1831.

WM. MARTIN. J. P.

*Putnam G. Hardin's Vote.**Georgia, Baldwin County.*

Personally appeared before me, Robert Glenn, and being duly sworn, saith on his oath that he was at the house of Col. Solomon Betton's in Decatur county, on Tuesday, the day after the general election for Governor and members for the Legislature for 1831, and in the company of Putnam G. Hardin, & this deponent heard the said Putnam G. Hardin say he voted for Gilmer, Neel and George McElvy.

ROBERT GLENN.

Sworn to and subscribed before me, this 12th day of November, 1831.

STEPHEN SWAIN, J. I. C.

*Georgia, Baldwin County ;*

Personally appeared before me William W. Carnes, a Justice of the Inferior Court of said county, Solomon D. Betton, who after being duly sworn, deposeth and saith, that Putnam G. Hardin, who voted at the C. H. in the town of Bainbridge in Decatur county, on the 3d of October, 1831, at the General Election held at the time and place aforesaid, for Governor of said State and one Senator and Representative to represent said county in the State Legislature, voted as follows :—for George R. Gilmer for Governor, Daniel O. Neel for Senator and G. R. McElvy for Representative, as he the said Hardin told deponent, and offered to be qualified before deponent as to that fact—and deponent further saith, that Hardin has not resided in said county for last six months previous to the election in October last.

SOLOMON D. BETTON.

Sworn to and subscribed before me, this 14th day of November, 1831.

WM. W. CARNES, J. I. C.

*Counter Affidavit,**Georgia, Decatur County ;*

Personally appeared before me William Whigham, one of the acting Justices of the Peace in and for said county, Putnam G. Hardin, and after being duly sworn deposeth and saith, that he came to Decatur county, some time in November, 1830, and from that time to the present date has considered it his residence.

PUTNAM G. HARDIN,

Sworn to and subscribed before me, this 1st Dec. 1831.

WILLIAM WHIGHAM, J. P.

*Daniel McSwain's Vote.;**Georgia, Decatur County ;*

Before me a Justice of the Peace for said county, came John H. Gray, who being duly sworn, deposeth and saith, that Daniel McSwain, one of the persons who voted at an election held on the 3d October, 1831, at the Court House of said county, for one Senator and one Representative to represent said county in the State aforesaid, was not at the time of said election a resident of said county, and had not been for the last six months immediately preceding said election, and this deponent further saith, that said McSwain in friendly conversation at sundry times before and since said election, told this deponent that he was a resident of the Territory of Florida, at the time of said conversations.

JOHN H. GRAY.

Sworn to and subscribed before me, this 27th day of October, 1831.

SOLOMON D. BETTON, J. P.

*Georgia, Decatur County ;*

Before me a Justice of the Peace for said county, came David Gray, who being duly sworn, deposeth and saith, that Daniel McSwain, one of the persons who voted at an election held on the 3d October, 1831, at the Court House of said county, for one Senator & for one Representative, to represent said county in the Legislature of the State aforesaid, is not a resident of said county, nor had not been for six months immediately preceding said election, but that said McSwain was at the time of so voting, a resident of the Territory of Florida, and this deponent further saith, that said McSwain was living with Major Richards.

DAVID GRAY.

Sworn to and subscribed before me, this 27th October, 1831.

SOLOMON D. BETTON, J. P.

*Georgia, Decatur County ;*

Personally appeared George R. McElvy, who being duly sworn, deposeth and saith, that Daniel McSwain, one of the persons who voted at the General election on the 3d inst. for said county for Governor, a Senator and a Representative, had on his ticket the names of Neel, Curry, and that ticket was handed to the managers of said election at Bainbridge.

GEORGE R. McELVY.

Sworn to and subscribed before me, this 28th Oct. 1831.

SOLOMON D. BETTON, J. P.

*State of Georgia, Decatur County ;*

Personally appeared before me a Justice of the Peace for said county, Wm. J. Regan, and after being duly sworn, deposeth and saith, that Daniel McSwain and Lewis McSwain are Brothers of deponents wife—and the said deponent further saith, that from the long acquaintance he has had with the McSwain family, he has as perfect knowledge of their transactions, as any person living could have as touching their residence and ages ; and the said deponent further saith, that Daniel McSwain, who voted at the General election held at Bainbridge, on the 3d day of October last for a Governor of the State, Senator and one Representative for said county, was part of last winter, in the employment of Capt. Rankins, in the Territory of Florida, from whence he returned some time in the month of last May, and about the first of September last, he went back to Florida, and undertook to oversee for one Mr. Lardmore, and at the time or a short time before the above election, he returned to Decatur county, and the day after the election, the said McSwain returned to Florida—and this deponent further saith, that Lewis McSwain will be twenty-one years of age the 14th day of August next, agreeable to the statement of said McSwain's parents at the birth of one of the deponents children—and this deponent further saith, that he has been informed that the said Lewis McSwain, voted at the before mentioned election.

WILLIAM J. REGAN.

Sworn to and subscribed before me, the 26th of November, 1831.

JOHN ISRAEL, J. P.

*Counter Affidavit.**Georgia, Decatur County ;*

Before me William Martin, a Justice of the Peace for said county, personally came Daniel McSwain, and after being duly sworn, deposeth and saith, that he voted at the General election held for said county, on the 3d day of October last in the town of Bainbridge, for a Senator and Representative, to represent said county in the present Legislature now in session ; and deponent further

saith that he was a residenter of the county of Decatur for more than six months previous to said election ; and deponent also further saith, that he took the oath required by the superintending magistrates on the day of said election.

DANIEL McELVY.

Sworn to and subscribed before me, this 26th day of Nov. 1831.  
WM. MARTIN, J. P.

*Julin Davis' Vote.*

*Georgia, Decatur County ;*

Personally appeared before me, George R. McElvy one the Justices of the Inferior Court for said county, Julin Davis, who being duly sworn on oath saith, that he voted at an election held in the town of Bainbridge in said county, on the 3d day of October last for Governor of the State, a Senator and one Representative for said county ; and this deponent further says, that he left the county of Decatur aforesaid, on or about the 20th May last, and went to the Apalachicola Bay, and from thence to Columbus, and was absent from said county until the 15th day of July last on wages for his support ; and this deponent further states, that he has not paid the legal taxes due the State nor any part thereof ; and further states en oath that he voted for Daniel O. Neel, for Senator for said county.

JULIN DAVIS.


Sworn to and subscribed before me, this 28th day of November, 1831.

GEORGE R. McELVY, J. I. C.

*Josiah Robertson's Vote.*

*Georgia, Decatur County ;*

Personally appeared before me Lyman Shepherd, a Justice of the Peace for said county, Josiah Robertson, who being duly sworn on oath saith, that he voted at an election held in the town of Bainbridge in said county on the 3d day of October last, for Governor of the State, a Senator and one Representative for said county ; and this deponent further states, that he left the county aforesaid on or about the 1st day of December, 1830, and on lawful business, never returned until sometime about the 15th June last, and said deponent left his family in said county, and still claimed his residence —aid deponent further states that he has not paid any taxes since he first came to the county, and that he voted for Daniel O. Neel for Senator of said county, and deponent would not have voted had he not considered himself duly authorised.

his  
JOSIAH  ROBERTSON.  
mark

Sworn to before me, this 26th day of Nov. 1831.

LYMAN SHEPHERD, J. P.



*John Robinson's Vote.**Georgia, Decatur County ;*

Personally appeared before me George R. McElvy, one of the Justices of the Inferior Court for said county, John Robinson, who, after being duly sworn, on oath saith, that he voted at an election held in the town of Bainbridge in said county on the 3d day of October last for Governor of the State, and a Senator and one Representative for said county ; and this deponent states, that he the said deponent, voted for Daniel O. Neel for Senator for said county ; and said deponent states on oath, that he has resided in the county aforesaid two years, and has not paid the legal taxes required of him nor any part thereof.

JOHN ROBINSON.

Sworn to and subscribed before me, this 28th day of November, 1831.

GEORGE R. McELVY, J. I. C,

*Lewis McSwain's Vote.**Georgia, Decatur County ;*

Personally appeared before me, George R. McElvy, who being duly sworn, deposeth and saith, that he has known Lewis McSwain, one of the persons who voted at the late General election for Governor, Senator and Representative for said county, on the 3d ult. at Bainbridge ; and that said McSwain told him on the day of said election, a short time before he the said McSwain voted, that he should vote for Daniel O. Neel for Senator for said county—That this deponent has known said McSwain for six or seven years, and from his knowledge of him, he said McSwain is under the age of twenty-one years—That at the time deponent first knew him said McSwain, he was a small boy.

GEORGE R. McELVY,

Sworn to and subscribed before me, this 1st Nov. 1831.

WM. CHESTER, J. I. C.

*Georgia, Decatur County ;*

Personally appeared before me, Chesley A. Lester, who being duly sworn, deposeth and saith that Lewis McSwain, one of the persons who voted at the late General election for Governor and Senator and Representative for said county, on the 3d ult. at Bainbridge in said county, was not at the time of giving said vote, twenty-one years of age, as said McSwain informed this deponent on the day of said election, and a short time before said election the deponent and said McSwain were weighed and according to weight

the said McSwain was one pound the heaviest, and at that time *he* said he was two days older and one pound heavier—that this deponent is not twenty-one years old until the 16th August next.

CHESLEY A. LESTER.

Sworn to and subscribed before me, 1st. Nov. 1831.

WM CHESTER, J. I. C.

*Patrick Giddens' Vote.*

*State of Georgia, Decatur County ;*

Personally appeared before me a Justice of the Peace for said county, Patrick Giddens of said county, one of the voters who voted at an election held in the town of Bainbridge, on the 3d day of October last, for Governor of the State, a Senator and one Representative for said county, and after being duly sworn deposeth and saith, that he the said deponent did and doth still consider himself legally qualified to his right as a voter as touching his residence—He has from the first of January last, had his washing at his Father-in-law's Mr. Joice's in the above county, in consequence of the affliction of his wife, who of necessity, had to be a great part of her time with her mother, and the reason of deponents being part of his time in what is called the Territory of Florida, was in this way—the deponent rented lands lying between the two old lines, called the old Florida lines ; but the said deponent further saith that he has at all times been subject to the laws of this state, both civil and military, which may be seen by referring to the books of the Receivers of tax returns and the Collectors of taxes—and the deponent has at all times been subject to militia laws, and has for the last three years voted in the above county of Decatur, without being questioned, for military officers—further this deponent saith not.

PATRICK GIDENS.

Sworn to and subscribed before me, this 26th Nov. 1831.

JOHN ISRAEL, J. P.

*State of Georgia, Decatur County ;*

In person appeared before me a Justice of the Peace for said county, Michael Joyce, and after being duly sworn deposeth and saith, that the within affidavit made by his son-in-law Patrick Gidens, is just and true to the best of his knowledge and belief ; and this deponent further saith, that the said Patrick was in possession of a parcel of land in this county from the time he came to live with me.

MICHAEL JOYCE.

Sworn to and subscribed before me, the 26th Nov. 1831.

JOHN ISRAEL, J. P.

*Georgia, Decatur County ;*

In pursuance of the process from the Chairman of the committee on Privileges and Elections, according to the direction of the hon. the Senate of said state, now in session at Milledgeville, John W. Keith was this day summoned and appeared before me, who after being duly sworn depose and saith on oath, that he was appointed to take the Census of Decatur county, according to an act of the General Assembly of said state, passed some time last winter, and that in the discharge of his duty in August last as such, he called on the same man Michael Joyce, whose affidavit has this day been taken by Bennet Crawford, to prove that the non-residence of Patrick Gidens, disqualified him the said Gidens as a legal voter at the late election held in said county, for a Senator and Representative, and that the said Joyce, after taking the oath required to be administered by deponent to heads of families or others, to give the number of Patrick Gidens' family, stated that the said Patrick Gidens, was son-in-law to the said Joyce, and resided between the old and new lines bounding Georgia and Florida—and that the said Patrick Gidens, is the same whose affidavit has this day been taken by Bennet Crawford, to prove the illegality of his vote, given to William Hawthorn for Senator, in opposition to Daniel O. Neel, on the first Monday in October last ; deponent further saith, that said Gidens' family was not enumerated by him as citizens of Decatur county, because the said Joyce stated upon oath as aforesaid, that they were resident between the lines aforesaid—further deponent saith not.

JOHN W. KEITH.

Sworn to and subscribed before me, this the 28th day of Nov. 1831.

WILLIAM WHIGHAM, J. P.

*Georgia, Decatur County ;*

Before me a Justice of the Inferior court for said county, personally came before me, John Whiddon, who after being duly sworn depose and saith, that Patrick Gidens has lived, for some time previous to the last General Election held for said county, for Representatives to represent this county in the ensuing Legislature, below what has always been recognized as the line by both the Georgians and Floridians, in the immediate settlement where said Gidens lives; and deponent further depose and saith, that the said Patrick Gidens told deponent that he voted at said election, and did vote for William Hawthorn for Senator.

JOHN WHIDDON.

Sworn to before me, this 31st Oct. 1831.

BENNET CRAWFORD, J. I. C.

*Georgia, Decatur County ;*

I do hereby certify that I this day examined the line dividing Georgia and Florida, and that Patrick Gidens lives in Florida.

This 31st October, 1831.

BENNET CRAWFORD.

*Georgia, Decatur County ;*

In pursuance of the process under the hand and seal of the Chairman of the committee to Privileges and Elections, according to the direction of the honorable the Senate of said state, now in session, Michael Joyce of said county, was this day summoned and appeared before me, who after being duly sworn deposeeth and saith on oath, that Patrick Gidens was in Bainbridge in said county, on the first Monday in October last, at the election then and there held for one Senator and Representative to the present General Assembly of said state, and that he is well informed and verily believes that the said Patrick Gidens then and there voted for William Hawthorn for Senator, in opposition to Daniel O. Neel Esq.—this deponent further saith on oath as aforesaid, that the said Patrick Gidens, did in the early part of the year 1830, (eighteen hundred and thirty,) move his family and all his personal estate from without the limits of Decatur county, and that said Gidens did not move his family back within the limits of said county, until a few days preceding the day of election above mentioned ; and that he did not remove all his chattles within the limits of said county until after said election—this deponent states that the said Gidens lived on rented land below, on the Florida side, of the old line between Georgia and Florida, which he had occupied from the early part of the year 1830, until a few days before the election aforesaid.

MICHAEL JOYCE.

Sworn to and subscribed before me, this the 28th day of Nov. 1831.

BENNET CRAWFORD, J. I. C

*Georgia, Decatur County ;*

In pursuance of the process under the hand and seal of the chairman of the committee of Privileges and Elections, according to the direction of the honorable Senate of said State now in session, directed to sundry persons, including Patrick Gidens. The said Patrick Gidens was this day, summonsed and appeared before me, an acting Justice of the Inferior court of said county, who after being duly sworn deposeeth and saith on oath, that he was at the town of Bainbridge, in the county of Decatur, on the first Monday in October last, at the election then and there held for a Senator and Representative from said county, to the present sitting General Assem

bly of said State, and that he then and there voted for William Hawthorn, for Senator, from said county in opposition to Daniel O. Neel, Esq. This deponent further saith on oath, as aforesaid, that he removed from without the limits of Decatur county below or on the Florida side of the line dividing Georgia and Florida some time in January or February, in 1830, to a place which he had rented and that he removed all of his personal estate and family at the same time below said line, and that his washing and all the business of the family was done and transacted below the line aforesaid, until some time in January or February last, about which time deponents wife became deranged and indisposed, so as to render her unable to do the washing for deponent's family; and having no servants, the said deponent was compelled at some times, to have washing for himself and family done at his father-in-law's, which was about one miles distance from his residence—but deponent saith his washing was always done at home whenever his wife was able to do it. This deponent further saith on oath, as aforesaid, that he did not remove his family back within the limits of Decatur county, until after the first Monday in October last, and that he worked on the public road in Florida one day according to the summons of the Overseer in Florida, which was the only road duty required of deponent during his residence below the line. This deponent further states on oath, that he did some time previous to the time of said election enter into a bet with R. Parham of said county, in the sum of five dollars, that the said William Hawthorn would beat or get a greater number of votes at the election aforesaid, than Daniel O. Neel, the gaining or loosing of which bet depends entirely on the result of the controversy pending before the Senate, between the said Neel and Hawthorn—further, this deponent saith not.

PATRICK GIDDENS.

Sworn to and subscribed before me, this the 28th day of November, 1831.

BENNET CRAWFORD, J. I. C.

*Peter F. Sparkman's Vote.*

*Georgia, Decatur County;*

I do hereby, certify that at the General Election held for this county, on Monday the the third day of October this inst., I voted at said election for Lumpkin, for Governor, Wm. Hawthorn, for Senator and George R. McElvy, reprecentative, and that I do not believe that I was twenty-one years of age, and that had any questions been asked me by the managers of said election, I should not have voted; or had they put the usual oath prescribed by law in such cases, I would not have taken it from my belief that I was not twenty-one years of age.

PETER F. SPARKMAN.

October 25th, 1831.

Test,

THOS. BISHOP.

*Georgia, Decatur County ;*

Personally appeared before me, Thomas Bishop, who after being duly sworn, deposeeth and saith, that Peter F. Sparkman subscribed his name in his presence to the within certificate, and acknowledged it to be true.

THOS. BISHOP.

Sworn to and subscribed before me, this 25th October, 1831.

DUNCAN CURRY, J. I. C.

*Georgia, Decatur County ;*

Personally appeared before me, Peter F. Sparkman, who after being duly sworn, deposeeth and saith, that at the General Election, on the 3d day of October, 1831, for members to the Legislature, that he voted for William Hawthorn and George R. McElvy, and to the best of his knowledge and belief, he was under age and not entitled to a vote at said election.

PETER F. SPARKMAN.

Sworn to and subscribed before me, this 21st of November, 1831.

WILLIAM WHIGHAM, J. P.

*Benjamin Land's Vote.**Georgia, Decatur County ;*

Personally came before Duncan Curry, a Justice of the [Inferior court of the county aforesaid, Eason Tison of said county, who being duly sworn, deposeeth and saith, that on the 26th October, 1831, Benjamin Land told him he voted for Hawthorn, as Senator, to represent said county at the election held on the 3d inst. and he would swear it.

E. TISON.

Sworn to and subscribed before me, this 27th October, 1831.

DUNCAN CURRY, J. I. C.

*Georgia, Decatur County ;*

Before me, William Whigham, a Justice of the Peace, for said county, personally came Benjamin Land, who after being duly sworn, deposeeth and saith, that he voted at the General Election held for said county, in the town of Bainbridge, on the third day of October last, for a Senator to represent said county in the present Legislature, and voted for William Hawthorn, for Senator, and further this deponent saith not.

BENJAMIN LAND.

Sworn to and subscribed before me, this 26th of November, 1831.

WILLIAM WHIGHAM, J. P.

COMPTROLLER GENERAL'S OFFICE, }  
11th December, 1831. }

I certify that the insolvent list now in the possession of Daniel O. Neel, Esq. passed by the Grand Jury of Decatur county, at the November Term of the Superior court, in 1830, in favor of William Whigham, Tax Collector of said county, for the year 1829, has been presented at this office ; and that the said collector is entitled to a credit of the amount thereof at this office, he having settled his account as collector for said year without receiving credit for the same.

**T. B. HOWARD,**  
Comptroller General,

" I, William Whigham, Tax Collector of Decatur county, do now humbly petition the honorable body of the Grand Jury to relieve me from the charge of the following named persons who have been returned insolvent to me by the legal officers of this county, to wit :

Benjamin Land,	\$ 53 $\frac{1}{2}$	Theophilus Bodeford,	\$ 34
Reeves Ivey,	34	James Hutchinson,	66
James M. Robinson,	34	James Chandler,	66
Jacob Dykes,	34	James A. McDowel,	34
Anderson Allen,	66	Thomas W. Hins,	34
Jas. Campbell,	34	John Bohannon,	34
Mordacai Sansbury,	86	James Posey	66
Robert R. Douglass,	49 $\frac{1}{2}$	Caleb Starling,	66
King Farmer,	34	Wiley Collins,	66
John Thompson,	34	Michael Mixson,	66
Levi Owens	34	Stephen Revills,	66
William Pridgion,	53 $\frac{1}{4}$	J. Bears,	34
William Gallatt,	66	Wm. Rhodes,	34
Lewis Bell,	66	Wm. M. Rolett,	34

I, William Whigham, do hereby certify that the foregoing names of persons, have been returned as insolvent by the legal officers of this county, and I do not have any means of theirs in my hand on control for the payment of the same—this, 9th day of November, 1830.

WILLIAM WHIGHAM, *Tax Collector.*

We, the Grand Jury for the county of Decatur, do hereby certify, that the amount of thirteen dollars, twelve and one fourth cents, is the amount of the insolvent tax for the year 1829 of November term, 1830.

FRANCIS C. DICKERSON,  
*Foreman.*

*John M. Robinson's Vote.**Georgia, Decatur County;*

Personally appeared before me, Duncan Curry, a Justice of the Inferior court for said county, William Taylor, who after being duly sworn, deposeth and saith, that James M. Robinson, said in his presence, that he voted for Hawthorn, for Senator of said county, and McElvy, Representative, at the late election held on the third day of October last.

WILLIAM W. TAYLOR

Sworn to and subscribed before me, this 1st November, 1831.  
DUNCAN CURRY, J. I. C

*Michael Miron's Vote.**Georgia, Decatur County;*

In pursuance of the process from the Chairman of the committee on Privileges and Elections according to the direction of the honorable the Senate of said State, now in session at Milledgeville, Mary Belcher was summoned and appeared before me, who after being duly sworn, deposeth and saith on oath, that she distinctly recollects that the Rev. Abner Belcher, preached at the house of her husband on the 3<sup>d</sup> Sunday in April last, and that it was one the Monday preceeding that day. Michael Mixon, with his family came to the landing at the river bank near the house of her husband and hallowed, and that her husband, hearing the hallowing, went to set them over or across the river. Depoutent further saith, that said Mixon sometime afterwards (after the day aforesaid) brought his chattles to Decatur county, and that said Mixon had not for more than twelve months preceeding that day been a citizen of the said county of Decatur.

MARY BELCHER.

Sworn to and subscribed before me, this 29th day of November, 1831.

WILLIAM WHIGHAM, J. P

*Georgia, Decatur county;*

In pursuance of the process directed to sundry persons, among whom Michael Mixson is one of the number, by the Chairman of the committee on Privileges and Elections, according to the direction of the honorable the Senate of said state now in session—the said Michael Mixson was this day summoned and appeared before me, an acting Justice of the Peace in & for said county, who, after being duly sworn deposeth and saith on oath, that he was in the town of Bainbridge on the first Monday in October last, at an election then and there held, for one Senator and Representative from said count



ty of Decatur to the General Assembly of said state now in session, and that he then and there voted for William Hawthorn for Senator from said county, in opposition to Daniel O. Neel, Esq.

his  
MICHAEL ✕ MIXSON.  
mark

Sworn to and subscribed before me, this 29th day of November, 1831.

WILLIAM WHIGHAM, J. P.

*Georgia, Decatur County ;*

Before me Duncan Curry a Justice of the Inferior Court for said county, personally came Daniel Belcher of said county, and being duly sworn deposeeth and saith, that Michael Mixon told deponent this morning, that he voted at the General election held for said county on the 3d day of October last, for Representatives to represent this county in the ensuing Legislature, and that he further told deponent that he voted for William Hawthorn for Senator to represent as aforesaid.

DANIEL BELCHER.

Sworn to and subscribed before me, this 2d Nov. 1831.

DUNCAN CURRY, J. I. C.

*Counter Affidavit.*

*Georgia, Decatur County ;*

Personally appeared before me G. R. McElvy one of the Justices of the Inferior Court for said county, Michael Mixson, who being duly sworn on oath saith, that he the said Mixson came to the county aforesaid about the last week in March last, from Early county, where he the said Mixson had resided from the 15th December, 1829, until he came to the county aforesaid—and the said Mixson on oath saith, that he has paid the legal taxes required of him, and has a receipt for the same.

his  
MICHAEL ✕ MIXSON.  
mark

Sworn to and subscribed before me, this 29th November, 1831,  
GEORGE R. McELVY, J. I. C.

*Jesse Cone's Vote.*

*Georgia, Decatur County ;*

Before me a Justice for said county, personally came Francis W. Agnew, and being duly sworn, deposeeth and saith, that Jesse Cone voted at the late general election held at the precinct at the house

of John Emanuel in said county ; and further saith, that he heard the said Jesse Cone say some time last winter that he was then in his eighteenth year ; and this deponent verily believes that he was not older than he said at that time, and that he, Jesse Cone, voted for William Hawthorn for Senate to represent said county at the ensuing Legislature.

FRANCIS W. AGGNEW.

Sworn to before me, this 28th Oct. 1831.

WM. WHIDDAN, J. P.

*Counter Affidavit.*

*State of Georgia, Decatur County ;*

In person appeared before me a Justice of the Peace for said county, Isaiah Cone of said county, and after being duly sworn deposed and saith, that Jesse Cone who voted at an election held on the 3d of October last at the house of L. J. Emanuels in said county, for Governor for the state and Senator and one Representative to represent said county, is the son of deponent, and that said Jesse Cone was twenty-one years of age in the month of March last ; and further this deponent saith not.

his  
ISAIAH X CONE.  
mark

Sworn to and subscribed before me, the 23d day of November, 1831.

JOSEPH DAVIS, J. P.

*John Williams' Vote.*

*Georgia, Decatur County ;*

Personally appeared before me William Martin a Justice of the Peace for said county, John Kemp who after being duly sworn, deposed and saith that John Williams who stated and said at his house on the night of the 4th October last, that he voted for Hawthorn, (viz. for Senator,) and McElvy, (viz. for Representative) ; and that the said Williams stated that his place of residence was at Thomas Spate's Esq. in the Territory of Florida, and further this deponent saith not.

JOHN KEMP.

Sworn to and subscribed before me, this 29th October, 1831.

WILLIAM MARTIN, J. P.

*Georgia, Decatur County ;*

Personally appeared before me William Martin a Justice of the Peace for said county, William Whigham and John Cock, who after being duly sworn deposeth and saith, that they heard the above statement made at John Kemps house, as regards the vote of the above mentioned John Williams, and the statement as relates to the said Williams' residence, is what he stated at the said Kemps house on the night of the 4th October last; and that the affidavit of the said Kemp is perfectly true as regards the facts stated at his house.

WILLIAM WHIGHAM,  
JOHN COCK.

Sworn to and subscribed before me, this 29th October, 1831.  
WM. MARTIN, J. P

*Georgia, Decatur County ;*

Personally appeared before me William Martin a Justice of the Peace for said county, Stephen Pitts, who after being duly sworn, deposeth and saith that on the night of the 4th October, inst. at the house of John Kemps in the town of Bainbridge, he heard John Williams say he voted at the General election the day before, and that he voted for Hawthorn for Senator, and McElvy Representative, and that his residence was at Thomas Spates' in the Territory of Florida, and had been for the two years last past.

STEPHEN PITTS.  
Sworn to and subscribed before me, this 31st October, 1831.  
WILLIAM MARTIN, J. P

*Counter Affidavit.*

*State of Georgia, Decatur County ;*

Personally appeared before me a Justice of the Peace for said county, John Williams of said county, and after being duly sworn deposeth and saith, that he has been informed that his residence has been disputed in consequence of a vote he gave at the last General election held in the above county, at the Court House in the town of Bainbridge, on the third day of October last; and the said deponent further saith that his residence has been located in the county of Decatur, for the last twelve months; and that he had usually resided in the said county for the above mentioned time.

JOHN WILLIAMS.  
Sworn to and subscribed before me, the 26th of Nov. 1831.  
JOHN ISRAEL, J. P.

*Georgia, Decatur County ;*

Personally appeared before me, John G. Barr, who being duly sworn, depose and saith, that John Williams, one of the persons who voted at the late General election, for persons to represent said county in the Legislature of said state, resided generally, and had his clothes kept at the house of this deponent in said county, for nine months immediately preceding said election, and that said Williams claimed the house of deponent as his place of residence.

JOHN G. BARR.

Sworn to and subscribed before me this 25th Nov. 1831.

SOLOMON D. BETTON, J. P

*Georgia, Decatur County ;*

Personally came and appeared before me Edward Smart one of the Justices of the Peace, William McElvy, who being duly sworn, on oath saith that John Williams has been a lawful resident of the said county of Decatur, both from my own knowledge and the acknowledgment of said Williams to me, and in my own neighborhood since Christmas last, till since the General election in October last—this deponent further saith not.

WILLIAM McELVY.

Sworn to and subscribed before me, this 28th of November, 1831,

EDMOND SMART, J. P

*Jesse Grant's Vote.**Georgia, Decatur County ;*

Personally came before me a Justice of the Peace for said county, Elijah Hair, who after being duly sworn, saith on oath that Jesse Grant voted at an election held yesterday in said county, for Governor, one Senator and one Representative from said county to the ensuing Legislature ; and this deponent further saith, that a few days before the 26th day of May last, he saw and conversed with said Grant in the State of Alabama, who told deponent that he was then directly from the upper part of Georgia, in search of a lost son, and that his residence was in the upper part of the state ; that said Grant declared after he had voted, that he voted for Wm. Hawthorn for Senator from said county ; and this deponent verily believes that said Grant voted for Hawthorn and McElvy.

ELIJAH HAIR.

This 4th October, 1831.

WILLIAM WHIGHAM, J. P

*Counter Affidavit.**Georgia, Baldwin County ;*

Personally appeared before me a Justice of the Inferior Court of said county, Charles F. Betton, who being duly sworn deposeth and saith, that Jesse Grant, one of the persons who voted in the General election in October last in the county of Decatur in said state, in the town of Bainbridge, before voting at said election, was objected to, and that the oath prescribed by law was administered by one of the managers of said election, before his ballot was received.

CHARLES F. BETTON.

Sworn to and subscribed before me, this 7th Dec. 1831.

WM. W. CARNES, J. I. C.

*FRIDAY, 16th Dec. 1831.*

Mr. Bailey presented a petition from sundry individuals in behalf of James Berry of Troup county, relative to his forfeited obligation for the appearance of Wm. Berry.

Which was read and ordered to lie upon the table for the remainder of the session.

Mr. Harlow, Chairman of the committee on the State of the Republic, in accordance with the direction of the committee, to whom was referred the Governor's communication covering an act of the State of New York, presenting to this State, a map and atlas of New York, and also three sets of a compilation of her laws, Reported :

That, with a view that Georgia may cheerfully reciprocate the attention of a sister State on an occasion like the present, they beg leave to offer the following resolution—

*Be it resolved*, that his Excellency the Governor, be requested to have selected two of the best, largest and latest maps of the State, together with three sets each, of Prince's and Foster's Digest, and Dawson's Compilation of the laws of this State, of the best editions, and cause the same to be transmitted to the Executive of the State of New York at the expense of this State.

*Resolved*, that his Excellency the Governor, be requested to direct the Secretary of State to accompany the same with a copy of

these resolutions, expressing the gratification of this State for the attention of the State of New York, and a disposition on our part, cordially to reciprocate on all similar occasions.

Which was read and agreed to.

Mr. Allen, Chairman of the committee of Agriculture and Internal Improvement, to whom was referred the report of Stephen F. Miller, the agent appointed under a resolution of the last Legislature to effect a full settlement with the commissioners of the Oconee river below Milledgeville, together with the accompanying documents, reported in accordance with the direction of the committee—

That the agent has properly in the opinion of the committee, limited his investigation to the period between the 2d Dec. 1824, at which time the funds & property of the association were ascertained, a satisfactory report made thereon to the Legislature, and the creation of the new Board by the act of 26th Dec. 1825. By the account current, accompanying the report, it appears that the commissioners have had in disposable funds including Bank Stock, \$13,901 42, and that they have expended \$13,498 37—leaving a balance in the hands of the commissioners of \$403 05. The agent remarks that the balance against the commissioners, consists chiefly of notes, accounts and attorneys receipts, mostly on insolvent persons, and all barred by the the statute of limitations, and that he was informed by Col. Blount, that no part of the same had been collected.—The agent also states that he has inspected a list of these debts, a copy of which is appended to his report, marked No. 30, that they correspond in amount and description, with those mentioned in the report of 1824, that they are in his opinion the same, and that they are the only bad debts which accumulated in the hands of the commissioners during their service: admitting that the commissioners have done all that could have been reasonably expected of them in the collection of these debts, there would be a balance in their favor of \$148 42; but this they do not even assert, nor does it appear that all of the above mentioned debts were bad, so that the committee cannot assume the settlement to be complete until those evidences of debt are more satisfactorily accounted for; and in no event in the opinion of the committee, could the commissioners rightfully charge the State more than the amount of the funds placed in their hands: though, it is the opinion of the committee under the circumstances as they are presented in the report of the agent that a further prosecution of the settlement with the commissioners, would only result in expense to the State without any corresponding benefit.

The public hands under the control of the commissioners have been accounted for to the satisfaction of the committee.

It appears by the report of Mr. Hines, made to the late Governor and acted on by the last Legislature, that Col. Blount believed he had omitted to charge Gen. Blackshear with \$500, paid him by Mr. Rowland; it now appears that the transaction took place previous to the settlement acted on by the legislature in 1824, and consequently, in the opinion of the committee, must have been account-

ed for in that settlement. The committee in conclusion, respectfully, recommend the adoption of the following resolution :

*Resolved*, that the further interference of the Legislature, in regard to the settlement with the commissioners of the Oconee river, is unnecessary.

Which was read and agreed to.

Mr. Allen, Chairman of the same committee, to whom was referred the report of Washington Poe, Esq. the agent appointed under a resolution of the last Legislature to effect a full settlement with the commissioners of the Ocmulgee river, below Macon also made a report.

Which was read and ordered to lie upon the table for the present.

Mr. Nisbet, Chairman of the joint Judiciary committee, to whom was referred so much of the Governor's communication as relates to the Small Pox, reported, in obedience to the direction of the committee :

That they have carefully examined the documents furnished the committee in relation to the existence of that dreadful disease the past spring and summer, in the Creek nation of Indians, bordering on our western frontier. That section of our State, indeed the State generally was evidently exposed to great danger of the introduction of that disease among our citizens. The Executive being informed of the true danger to which the people of the State were exposed, took early and as efficient means as the Law placed under his controul, to prevent its introduction into the State. It is true the laws of Quarantine as they now exist may be considered defective. The power of establishing regulations under these laws in other sections than at the sea ports and river inlets, being in the Executive alone, must often breed delay, and much danger in those sections where contagious diseases make their appearance.

But whether any alteration of the present law would not lead to more mischief than at present exists, has been a question with your committee. To divest the Executive of the power it now has, and vest it in any other body : the Inferior courts of the several counties or the corporations of towns, would perhaps lead to an abuse of the privilege and a consequential unnecessary expenditure of the public money. A prompt and prudent exercise of the powers granted to the Executive by the acts of the 14th Dec. 1793, the 10th Dec. 1803, and the subsequent acts on this subject, but more particularly the power of enforcing Quarantine by proclamation granted to the Executive in the 10th section of the first above recited act, as in the case to which the documents now in the possession of your committee refer, will in the opinion of your committee at all times, and at all places secure the safety of our citizens. Under these considerations, and having nothing particular to recommend for the adoption of the Legislature, your committee beg leave to be discharged from any further investigation of, or action on the matter.

Which was read and agreed to.

Mr. Nisbet, chairman of the same committee, to which was referred a letter from the Surveyor General on the subject of the surplus number of district surveyors elected in pursuance of an act of the last session of the Legislature; made a report thereupon.

Which was read and ordered to lie upon the table for the present.

Mr. Dunagan from the select committee, to whom was referred the Petition of Jacob M. Scudder, praying that he may be entitled to draws in the approaching land lottery, reported,

That the prayer of the petitioner is reasonable and ought to be granted—and beg leave to report

A bill to authorize persons residing in the unlocated part of this State, to give in their names for draws in the approaching land lottery, under certain restrictions.

Which was read the first time.

Mr. Swain, Chairman of the committee on Petitions, to whom the petition of Henry and Allen Newney was referred, reported, that the prayer of the petitioners is unreasonable and ought not to be granted.

Which was read and agreed to.

Mr. Wood, Chairman of the committee on Privileges and Elections, in accordance with the direction of the committee, made a report upon the resolution of the Senate, calling upon the committee for information, &c.

Which was read and ordered to lie upon the table for the present.

On motion by Mr. Stewart,

*Resolved*, that both branches of the Legislature will convene in the Representative Chamber on Monday next, at 3 o'clock, P. M. for the purpose of electing five directors for the Bank of Darien, two for the Planters' Bank, and four for the Bank of the State of Georgia.

Ordered, that the Secretary carry it forthwith to the House of Representatives for their concurrence.

On motion,

The honorable Senator from the county of Bryan, had leave of absence granted him, after the 21st instant, for the balance of the session; and the honorable Senator from Oglethorpe, had leave of absence for a few days.

The Senate took up the report of the committee of the whole, on the bill to repeal the 2d and 4th sections of an act passed the 21st day of December, 1830, to appoint eleven additional Trustees of the University of Georgia, and to provide a permanent additional fund for the support of the same, and declare the number of trustees which shall be necessary to form a board, and to authorize a loan of ten thousand dollars to the board of trustees of said University, and to provide for the education of certain poor children therein mentioned.



Mr. Anderson moved to re-instate the first section, which was stricken out in committee, in the following words—

*“Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same, that from and immediately after the passage of this act, the second section of the above recited act, which authorizes the annual appropriation of six thousand dollars for the use of the University of Georgia, be and the same is hereby repealed.”*

And on the question being put of agreeing to re-instating said stricken section,

The yeas and nays were required and it was decided in the negative.

The yeas are 32—the nays are 42.

Those in the affirmative are, messrs.

Anderson	Dunagan	Mobley
Black	Echols of Coweta	Prior
Blackstone	Echols of Walton	Smith
Bowen	Ector	Spann
Bryan	Faris	Swain
Burch	Fullwood]	Temples
Cargille	Graham	Ware
Clayton	Hall	Wells
Cleveland	Henly	Williams
Cone	Johnson	Wofford
Dean	McDougald	

Those in the negative are, messrs.

Allen	Hines	Singleton
Avery	Holloway	Stapleton
Baber	Loyall	Stewart
Bailey	McAllister	St. George
Baker	McRae	Surrency
Boykin	Mealing	Thomas of Appling
Branham	Mercer	Thomas of Lee
Brown of Camden	Miller	Tennille
Brown of Monroe	Mitchell	Towns
Daniell	Muncrief	Waldhauer
Devereux	Neel	White
Everett	Nisbet	Wood
Groves	Parrish	Woolfolk
Harlow	Sheffield	Wooten

Mr. Anderson then moved the following as an additional section to the report:

*“Be it enacted by the General Assembly of the State of Georgia, That the annual appropriation of the six thousand dollars, in favor of the University of Georgia, as mentioned in the 2d section of the above recited act be, and the same shall no longer be considered for*

the benefit of the University, but added to, and distributed with the poor school fund for the purpose of educating the poor children of the State.

And on the question being put, of agreeing to said additional section, as proposed,

The yeas and nays were required, and it was decided in the negative.

The yeas are 30—the nays are 36.

Those in the affirmative are, messrs.

Anderson	Dunagan	Mobley
Black	Echols of Coweta	Prior
Blackstone	Echols of Walton	Smith
Bowen	Ector	Spaul
Bryan	Faris	Swain
Burch	Fullwood	Temples
Cargille	Graham	Ware
Cleveland	Hall	Wells
Cone	Henly	Williams
Dean	Johnson	Wofford

Those in the negative are, messrs,

Allen	Harlow	Singleton
Avery	Hines	Stapleton
Baber	Holloway	Stewart
Bailey	Loyall	St. George
Baker	McAllister	Surrency
Boykin	Mealing	Thomas of Appling
Branham	Mercer	Tennille
Brown of Camden	Mitchell	Towns
Brown of Monroe	Muncrief	Waldhauer
Daniell	Nisbet	White
Devereux	Parrish	Wood
Groves	Sheffield	Wooten

The following message was received from the House of Representatives, by mr. Dawson, their clerk :

The House of Representatives have passed the following bills, which originated in this branch of the General Assembly, to wit ;

The bill to authorise the building of a meeting house by the Baptist denomination, worshipping at a place by the name of Double Branches, in the county of Lincoln, and to make permanent the location of the same, on that spot of land heretofore set apart by one James Ware of said county, and to secure the religious worship

building to said denomination, so far as not to infringe on the rights of other religious denominations, who may hereafter wish to build a house of religious worship at said place, and to appoint commissioners for the same.

The bill to alter and amend the militia laws, so far as respects the county of McIntosh.

The bill to authorise the payment of certain monies to the Trustees of Laurens county Academy, and certain other monies to the Superior court of Laurens county, or to the Trustees of the poor school fund of said county.

The bill to incorporate a Volunteer Patrol Association in the county of McIntosh, under the name and style of the Corps of vigilance.

The bill to add a part of Oglethorpe county, to the county of Madison.

The bill for the relief of Thomas S. Wayne, of the county of Chatham, from the operation of the act passed the 20th December, 1828 against duelling.

The bill to be entitled an act to authorise the citizens of Mallorysville and its vicinity, to raise a volunteer rifle company, to be known by the name and style of the Mallorysville Rifle Company, and to extend thereto certain privileges.

The bill to amend the road laws of McIntosh county.

The bill to extend to the county of Bibb, all the benefits and privileges of the 16th section of an act entitled an act to amend the several acts regulating roads in this State, so far as respects the operation of said acts in the counties of Bryan, Liberty, McIntosh, Glynn, Camden and Wayne, passed 8th Dec. 1831.

The bill to authorise James G. Salisbury, to establish a ferry across the Chattahoochee river in Randolph county.

The bill to amend the several acts incorporating the town and city of Darien.

The bill to legalize and make valid the official acts of James C. Martin, deputy clerk of the Inferior court and court of Ordinary of Gwinnett county.

The bill to regulate the future elections of members of Congress in this State.

The bill to alter and amend the road laws of this State, so far as respects the county of Camden.

The bill to separate and divorce Elizabeth Myers and John Myers, her husband.

The bill amendatory of the 15th, 22d and 24th sections of an act passed on the 19th day of December, 1818, entitled an act to revise and consolidate the militia laws of this State, and to repeal the Cavalry laws, now in force.

The bill to amend the several acts regulating the court of common pleas, for the city of Augusta.

The bill to repeal the 1st section of an act entitled an act to make Constables elective by the people, and the mode of taking their bonds, and to point out their duty in certain cases, so far as said act relates to the county of Chatham.

The bill to authorise the Justices of the Inferior court of Wilkes county, or a majority of them, to hire or purchase negroes, for the improvement of roads and bridges in said county; also to authorise said court to levy an extra tax, for the purpose of carrying the same into effect.

The bill to alter and amend an act passed the 23d Dec. 1830, prescribing the manner of holding elections in the several election districts, in the several counties of this State, and to punish those who may defeat or violate the election laws of force in this State, so far as respects the county of Liberty.

The bill to authorize Robert Ligon to erect a toll bridge across Chestatee river, and to regulate the rates of toll for the same; and

The bill to alter and change the names of certain persons.

They have also passed the following bills of Senate, to wit :

The bill to separate and divorce Burwell Kendrick from his wife, Lucy Kendrick.

The bill to separate and divorce Andrew Oneal and Delpha Oneal his wife.

The bill to incorporate the Roman Catholic Church of St. Philip and St. James, in the town of Columbus and county of Muscogee.

The bill to divorce Arianna B. Drummons and John S. Drummons, her husband.

The bill to change the time of holding the winter session of the Inferior court of Fayette county.

The bill to authorize the Justices of the Inferior court of Jefferson county, to establish an institution for the invalid poor of said county.

The bill to alter and amend an act passed 23d Dec. 1830, so far as respects the free school fund of Emanuel county.

The bill to repeal an act to establish an election district in Camden county, so far as respects the Spanish creek district in said county; and

The bill to separate and divorce Sarah Freeman and Caven Freeman, her husband.

The Senate took up the following report as amended, and laid upon the table on the 13th inst. :

The committee to whom was referred the petition of Thomas Denny of Madison county, on account of the bad state of his health occasioned by his services as a volunteer of the State's quota in the service of the United States in the late war, under the command of General Floyd, beg leave to submit the following report :

That your committee have taken his case into their most serious consideration, and have arrived at the following facts, to wit :

When the volunteers were called out under the command of Gen. Floyd, the said Thomas Denny joined the army in good health, and served his tour of duty faithfully ; but in the mean time had contracted a complaint, which appears from the certificate of his physician to be of such a nature as must shortly end his existence: he is a poor man and has a helpless family, dependent on his exertions for their sustenance. We believe that some timely aid will help to smoooth his path down through his declining life, and from the parental and helping hand which the State has always had towards her citizens, and in particular those who have suffered in fighting her battles when required of them by her laws, we feel authorised in saying that the State will lend her assisting hand, and would therefore beg to offer the following resolution :

*Resolved*, That the sum of \$100, be, and the same is hereby appropriated for the use of the said Thomas Denny, and that the same be placed in the appropriation act.

Which was again read and disagreed to.

The Senate took up the following report laid on the table on the 2nd inst :

The committee to whom was referred the memorial of Martha Birch, have had the same under consideration and report—

That by virtue of a contract made and entered into between the State of Georgia and Charles C. Birch, dec. the late husband of the memorialist, the latter undertook & agreed to perform certain labour in and about the erection of the addition to the State-House, that the contract so formed was special in its character, the parties each in the opinion of this committee being bound by certain specifications, comprehending the quantity, the time, and style, together with every necessary ingredient to constitute a particular contract, that special contract has been performed ; substantially complying with the specifications, or at least as nearly so as the materials furnished the undertaker would admit of.

The object of the memorialist is to call the attention of this Legislature to the propriety and justness of compensating her for labour rendered by her husband on the State House, not embraced in the specifications of his contract, and for which he has received no compensation.

To this point the attention of your committee has been especially directed. Your committee will frankly acknowledge that in the progress of their enquiries they have frequently been embarrassed in determining whether the labor claimed as extra work was fairly embraced within the terms of the specifications. Your committee however, feel it due to remark that the testimony taken has been chiefly of Mechanics, whose opinions are entitled to respect ; and which has enabled them to arrive at the following facts : That in addition to the work embraced in the original contract, that the said Birch did perform work and labour other than that contained

in the specifications ; that he did sustain a heavy loss in consequence of the State not furnishing through her contractors, materials of a quality and quantity suitable for said improvement ; that the said Birch was warranted in the performance of certain extra work, the same being performed under the immediate superintendence of the civil Engineer of the State : and finally, that the amount due the said Birch for extra-work according to the evidence submitted, is \$2559 61, from which sum is to be deducted \$1007 61, already paid, leaving a balance of \$1552, yet due.

The memorialist represents in respectful terms her present situation, and the circumstances that have led to it. She, however waives every appeal to the liberality of this Legislature, and only asks that the enlightened policy and exalted feelings of justice may place her in possession of that reward to which she is entitled by the labour of her deceased husband.

Your committee therefore beg leave to offer the following resolution :

*Resolved*, That his Excellency the Governor, be instructed and required to draw his warrant in favour of Martha Birch, on the fund appropriated for the erection of the addition to the State-House for the sum of ———, the same to be vested fully and absolutely in the said Martha Birch, and her present children.

On motion to amend the said report by filling the blank in the resolution with the sum of \$1000;

The yeas and nays were required, and it was determined in the affirmative.

The yeas are 39—the nays are 26.

Those in the affirmative are, messrs.

Allen	Dunagan	Neel
Avery	Ector	Nisbet
Baber	Everett	Parrish
Baker	Faris	Prior
Black	Harlow	Sheffield
Blackstone	Holloway	Smith
Bowen	Johnson	Stapleton
Boykin	Loyall	Thomas of Appling
Brown of Camden	McDougald	Tennille
Bryau	Mercer	Towns
Cargille	Miller	Williams
Clayton	Mobley	Wofford
Dean	Muncrief	Woolfolk

Those in the negative are, messrs.

Anderson	Groves	Swain
Bailey	Hall	Thomas of Lee
Brown of Monroe	Henly	Temples
Burch	McRae	Waldhauer
Cone	Mealing	Ware
Devereux	Mitchell	Wells
Echols of Coweta	Spann	White
Echols of Walton	St. George	Wooten
Fullwood	Surrency	

The blank was accordingly filled; and the report again read as amended and agreed to.

The resolution in favour of Tunnel Haden of Stewart county, laid upon the table the 14th inst. was made the order of the day for Monday next.

The report of the committee of the whole on the bill to lay out the Gold Region in the lands at present in the occupancy of the Cherokee Indians into small lots, and dispose of the same by separate lottery,

Was made the order of the day for Tuesday next.

The Senate resolved itself into a committee of the whole, Mr. Groves in the Chair, on the bill to alter and amend the several acts relating to the county Academies of the State of Georgia; and having spent some time therein, the President resumed the Chair, and the bill was reported without amendment.

Ordered, That the report lay upon the table for the balance of the session.

The Senate resolved itself into a committee of the whole, Mr. Parrish in the chair, on the bill to incorporate the town of Franklin, in the county of Troup, and to authorize the trustees of the Franklin Academy, to erect their Academy building on lot No. 283, in the 5th district of said county; and having spent some time therein, the President resumed the Chair, and the bill was reported without amendment.

The Senate took up and agreed to the report; the bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, Mr. Stewart in the Chair, on the bill to allow Henry Anglin of Jackson county, two additional draws in the contemplated land lottery; and having spent some time therein, the President resumed the Chair, and Mr. Stewart reported disagreement to the bill.

The Senate took up and agreed to the report.

The Senate resolved itself into a committee of the whole, Mr. Brown of Monroe, in the Chair, on the bill to prescribe and limit

the tenure of office of the Secretary of State, Treasurer, Comptroller General and Surveyor General; and having spent some time therein, the President resumed the Chair, and the bill was reported without amendment.

Ordered, that the report lie on the table for the present.

The Senate resolved itself into a committee of the whole, Mr. Blackstone in the Chair, on the bill to alter and change the time of holding the Superior courts in the Flint circuit; and having spent some time therein, the President resumed the Chair, and the bill was reported without amendment.

Ordered, that the report lie upon the table for the present.

The bill to alter and amend the third, seventh and twelfth sections of the first article; and the first and third sections of the third article of the Constitution of this State,

Was ordered to lay upon the table till called up.

The Senate resolved itself into a committee of the whole, Mr. Echols of Coweta, in the Chair, on the bill to compel the Justices of the Peace in the 535th St. of the Georgia Militia in the county of Dooley, and their successors in office, to hold their courts together, and to declare vacant their offices for refusing to do the same; and having spent some time therein, the President resumed the Chair, and the bill was reported without amendment.

Ordered, that the report lay upon the table for the present.

The Senate resolved itself into a committee of the whole, Mr. Anderson in the Chair, on the bill to remove the lock on the Oconee river below Milledgeville, so far as to admit the passage of fish; and having spent some time therein, the President resumed the Chair, and the bill was reported without amendment.

Ordered, that the report lay upon the table for the present.

The bill to authorize Wm. Smith, Trustee of the poor school fund of Lowndes county to loan out the said fund, and to collect any and all of the said fund that is already loaned out, or otherwise due on certain conditions,

Was read the second time and ordered for a third reading.

The bill to alter and amend the several acts now in force in this State regulating the fees of the public officers of this State, so far as respects the fees of the Sheriff and Jailor of Chatham county, and for repealing certain parts of the same;

Was read the 2nd time and ordered for committee of the whole.

The Senate adjourned until half after 3 o'clock, P. M.



*FRIDAY, half after 3 o'clock, P. M.*

The Senate resolved itself into a committee of the whole, Mr. Allen in the Chair, on the bill to alter and amend an act passed on the 22d of December, 1828, so far as respects the poor school fund of the county of Irwin; and having spent some time therein, the President resumed the Chair, and the bill was reported with amendment.

The Senate took up and agreed to the report; the bill was read a third time and passed under the title of a bill to alter and amend an act passed on the 22d of December, 1828 so far as respects the poor school fund of the counties of Irwin and Telfair.

The Senate resolved itself into a committee of the whole, Mr. Anderson in the Chair, on the bill to emancipate and set free Henrietta, formerly the property of David Harrison; and having spent some time therein, the President resumed the Chair, Mr. Anderson reported disagreement to the bill.

The Senate took up and agreed to the report.

The Senate resolved itself into a committee of the whole, Mr. Baber in the Chair, on the bill to authorize the commissioners of the town of Columbus to establish a Fire Company; and having spent some time therein, the President resumed the Chair, and the bill was reported without amendment.

The Senate took up and agreed to the report; the bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, Mr. Bailey in the Chair, on the bill further to amend an act to incorporate the Bank of the State of Georgia, passed 16th December, 1815; and having spent some time therein, the President resumed the Chair, and the bill was reported with amendment by way of substitute.

The Senate took up and agreed to the report, the bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, Mr. Blackstone in the Chair, on the bill to organize a volunteer company of cavalry, to be known and incorporated under the name of the Glynn County Huzzars, and to supply the same with arms; and having spent some time therein, the President resumed the Chair, and the bill was reported without amendment.

The Senate took up the report, and the preamble thereof having been stricken out, the same was agreed to, and the bill then read the third time and passed.

The Senate resolved itself into a committee of the whole, Mr. Boykin in the chair, on the bill for the relief of Wm. Gilleland, jr.

tax collector of Fayette county, for the year 1828 ; and having spent some time therein, the President resumed the chair, and

The bill was reported without amendment.

The Senate took up and agreed to the report ; the bill was read the third time and on the passage thereof,

The yeas and nays were required to be recorded by Mr Mealing,

And it was decided in the affirmative.

The yeas are 46—the nays are 15.

Those in the affirmative are, messrs.

Allen	Echols of Coweta	Sheffield
Anderson	Ector	Smith
Avery	Faris	Stapleton
Baber	Graham	St. George
Blackstone	Groves	Swain
Boykin	Hall	Thomas of Appling
Brown of Camden	Hines	Tennille
Brown of Monroe	Holloway	Towns
Burch	Johnson	White
Cargille	Loyall	Williams
Clayton	Mercer	Wofford
Cleveland	Mitchell	Wood
Daniell	Mobley	Woolfolk
Dean	Parrish	Wooten
Devereux		

Those in the negative are, messrs.

Bailey	Harlow	Muncrief
Cone	Henly	Neel
Dunagan	McDougald	Nisbet
Echols of Walton	McRae	Surrency
Fullwood	Mealing	Waldhauer

The Senate resolved itself into a committee of the whole, Mr Brown of Camden in the chair, on the bill to amend and consolidate the several acts which have been passed in relation to the powers and privileges of the corporation of the town of Macon, and the common thereof, and for the purposes herein mentioned ; and having spent some time therein, the President resumed the chair ; and

The bill was reported with amendment.

The Senate took up and agreed to the report ; the bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, Mr. Brown of Monroe in the chair, on the bill to repeal in part an act

passed 26th March 1767, for the limitation of actions, and for avoiding suits in law, and to repeal all other laws or parts of laws now in force in this state, declaring the persons of another state, or beyond seas, exempt from the operation of the statutes of limitation; and having spent some time therein, the President resumed the chair; And the bill was reported without amendment.

The Senate took up and agreed to the report; the bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, Mr. Burch in the chair, on the bill to authorise the Trustees of the Warrenton Academy in Warren county, to raise by lottery the sum of \$3000 for the benefit of said Academy; and having spent some time therein, the President resumed the chair, and

The bill was reported without amendment.

The Senate took up and agreed to the report; the bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, Mr. Cleveland in the chair, on the bill to regulate slaves in the town of Milledgeville, and to punish their owners or managers in certain cases; and having spent some time therein, the President resumed the chair, and

The bill was reported without amendment.

The Senate took up and agreed to the report; and

On motion by Mr Echols of Coweta,

To make the operations of the law general, by amending the same, by inserting the words "or any other town in this State;"

Mr. Wood moved to exempt from the proposed amendment, "the city of Darien."

When, Mr. Brown of Monroe moved the previous question.

And the question having been asked by the President, shall the main question be now put? it was decided in the affirmative.

Whereupon, the main question of agreeing to the report of the committee, was put,

And it was decided in the affirmative.

The bill was then read the third time and passed.

The bill to change the mode of electing the Judges of the Superior courts in this State, and to authorise the election of said Judges by the people, in the several Judicial circuits,

Was ordered to lie upon the table till called up.

The Senate resolved itself into a committee of the whole, Mr. Cargille in the chair, on the bill to authorise Elisha Betts and Thomas W Harris, to build a bridge across ~~Chattahoochee~~ River,

and to receive toll thereon ; and having spent some time therein, the President resumed the chair, and

The bill was reported with amendment.

The Senate took up, amended and agreed to the report ; and the bill was read the third time and passed.

The bill to alter and amend an act assented to the 22d of Dec. 1830, amendatory of an act to provide for the improvement of the Roads and Rivers of this state, passed 18th Dec. 1829, &c.

Was ordered to lie on the table till called up.

The Senate adjourned until 1-2 past 9 o'clock to-morrow morning.

### *SATURDAY, 17th December, 1831.*

On motion by mr. Groves,

The Senate reconsidered so much of the Journal of yesterday, relative to the rejection by Senate, of the report of the select committee upon the petition of Thomas Denny.

On motion,

The hon. Senators from Houston and Chatham counties, had leave of absence after Wednesday next, for the balance of the session ;

And the hon. Senators from the counties of Pike, Butts, Burke, Elbert and Harris, after Thursday next, for the balance of the session, also.

Mr. Wooten, chairman of the committee on Finance, to whom was referred the correspondence between certain citizens of the county of Muscogee, the Intendant of the town of Columbus; also certain citizens of the county of Group, the Justices of the Inferior court of Troup county, and the late Executive of this State, in relation to the discovery of small pox among the Creek Indians, made the following report, in obedience to the direction of said committee :

That from an examination of the correspondence above mentioned, there is little or no doubt, but that several cases of small pox actually did exist, among the Creek Indians contiguous to our frontier settlements, and but for the timely enforcement of the quarantine laws by the late Executive, the energetic measures adopted by

the authorities of the town of Columbus, to prevent all intercourse between its inhabitants and the persons who were diseased, or had been exposed to contagion, this infectious and most destructive of all diseases, must have spread itself among our people, and thereby have made great ravages.

Your committee are of opinion that the preventing of this contagious disease being brought into this State, is a matter in which the whole people are deeply interested, inasmuch, as all would be exposed to its controlling influence; and are therefore of opinion, that the whole expense incurred in preventing the same, which seems to be \$904 46, should be paid out of the general funds of the State, which has already been done.

Your committee do further approve of the energetic measures used on the occasion by the various authorities alluded to above, to prevent the spreading of this epidemic.

Which was read and agreed to.

Mr. Wooten, chairman of the same committee, to whom was referred the communications of his Excellency the Governor, on the subject of the conduct of John Kelly, commissioner of the Locust Stake road, have had the same under consideration, and reported the following resolution:

*Resolved*, That the Solicitor General of the Western circuit be, and he is hereby instructed to settle with the said John Kelly, by suit or otherwise, and report his doings and doings thereon, to the proper departments.

Which was read and agreed to.

Mr. Wooten, from the same committee, to whom was referred the resolution, instructing it to report to this branch of the Legislature, the probable disbursements of the present political year, together with the probable permanent ways and means of the State to meet said disbursements, also made a report,

Which was read, and ordered to lie upon the table for the present.

Mr. Swain, chairman of the committee on Petitions, to whom was referred the petition of Holloman Battle, in obedience to the direction of the committee, reported, that the prayer of the petitioner is unreasonable and ought not to be granted.

Which was read and agreed to.

Mr. Swain, chairman of the same committee, to whom was referred the petition of Evans Shannon, the Surveyor of the 4th section of the 2d division of the territory of this State, in the possession of the Cherokee Indians, also reported thereupon,

Which was read, and ordered to lie upon the table.

\* The Senate took up the report of the committee of whole, on the bill to remove the Lock on the Oconee river, below Milledgeville, so far as to admit the passage of fish,

And ordered the same to lie upon the table the balance of the session.

The Senate took up the report of the committee of the whole, on the bill to prescribe and limit the tenure of office of the Secretary of State, Treasurer, Comptroller General and Surveyor General; and

On motion by Mr. Wofford,

To lay the same on the table for the balance of the session,

The yeas and nays were required by Mr. Baber, and it was determined in the affirmative.

The yeas are 44—the nays are 28.

Those in the affirmative are, messrs.

Allen	Fullwood	Stapleton
Anderson	Graham	Stewart
Bailey	Groves	St. George
Baker	Hall	Surrency
Black	Harlow	Swain
Blackstone	Holloway	Thomas of Appling
Boykin	Johnson	Thomas of Lee
Brown of Monroe	McDougald	Temples
Cargille	Mercee	Waldhauer
Clayton	Mobley	Wells
Cone	Neel	White
Dean	Prior	Wofford
Danagan	Sheffield	Woolfolk
Ector	Smith	Wosten
Everett	Sparr	

Those in the negative are, messrs.

Avery	Daniell	Mitchell
Baber	Devereux	Nisbet
Bowen	Echols of Chweta	Parrish
Branham	Echols of Walton	Singleton
Brown of Camden	Faris	Ware
Bryan	Henly	Williams
Burch	Hines	Wood
Cleveland	Miller	

The Senate took up the report of the committee of the whole, on the bill to provide for the organization of the militia in the 535th district of the Georgia militia in the county of Dooly, and

their successors in office, to hold their courts together, and to declare vacant their offices for refusing to do the same.

The bill was then read the third time and passed under the title of a bill to compel the Justices of the Peace in the 535th district of the Georgia militia in the county of Dooly, to hold their courts together, and to declare what penalty shall attach in case the said Justices refuse so to act together.

The Senate took up and agreed to the report of the committee of the whole, on the bill to alter and change the time of holding the Superior courts in the Flint circuit.

The bill was then read the third time and passed.

The Senate took up the report of the committee on the Judiciary, upon the subject of the Surveyor General's communication relative to the surplus number of District Surveyors; which is as follows:

The joint Judiciary committee, to which was referred a letter from the Surveyor General, on the subject of the surplus number of District Surveyors, elected in pursuance of an act of the last session of the Legislature, have had the same under consideration, and beg leave to offer the following report:

Whereas, it appears that ninety-six District Surveyors have been elected to survey each a district of the Cherokee lands, and it appearing that there are only ninety-three districts, and all the persons so elected having equal claims—your committee would respectfully recommend the adoption of the following resolution:

*Resolved by the Senate and House of Representatives of the State of Georgia, in General Assembly met, That the Surveyor General be, and he is hereby authorised and required to determine by lottery between the several district Surveyors, by making ninety-three numbers and three blanks, to be drawn for by the persons so elected District Surveyors, as they shall respectively appear to receive instructions and their out-fit, in proceeding to the survey; and the persons drawing the ninety-three numbers, shall be entitled to survey each a district, and the persons drawing the three blanks shall be excluded.*

And having amended the same, by substitut of Mr. Ector, it was again ordered to lie upon the table for the present.

The bill to authorise William Smith, Trustee of the poor school fund of Lowndes county, to loan out the said fund, and to collect any and all of the said fund that is already loaned out, or otherwise due on certain conditions,

Was read the third time and passed.

And the bill to repeal so much of the 21st section of an act to raise

a tax for the support of Government for the year 1805, passed Dec. 12th 1804, as provides that no replevin shall be, or any judicial interference had in any levy or distress for taxes, under said law, and to authorise an affidavit of illegality to tax executions in certain cases.

Was ordered to lie upon the table till called up.

The Senate resolved itself into a committee of the whole, Mr. Daniell in the Chair, on the bill to repeal the several acts granting and extending the charter of incorporation to the Ogechee Navigation Company: and having spent some time therein, the President resumed the chair, and

The bill was reported without amendment.

The Senate took up and agreed to the report; the bill was read the third time and passed.

On motion by Mr. Towns.

The bill to authorise Seaton Grantland to build a dam across Flint River, upon his own land, and for other purposes,

Was ordered to lie upon the table the balance of the session.

The Senate resolved itself into a committee of the whole, Mr. Cone in the chair, on the bill for the relief of Augustin Harris; and having spent some time therein, the President resumed the chair; and

The bill was reported without amendment.

The Senate took up and agreed to the report; the bill was then read the third time and on its passage,

The yeas and nays were required, and it was determined in the affirmative.

The yeas are 47—the nays are 19.

Those in the affirmative are, messrs.

Allen	Echols of Coweta	Sheffield
Avery	Echols of Walton	Singleton
Baber	Ector	Smith
Baker	Faris	Stapleton
Bowen	Groves	St. George
Boykin	Harlow	Surrency
Brown of Camden	Holloway	Thomas of Appling
Brown of Monroe	Johnson	Thomas of Lee
Bryan	McAllister	Towns
Burch	McDougald	Waldhaner
Cargille	Miller	White
Cleveland	Mitchell	Williams
Daniell	Muncrief	Wofford
Dean	Neel	Wood
Devereux	Nisbet	Woolfolk
Dunagan	Prior	



Those in the negative are, messrs.

Anderson	Hall	Stewart
Black	Henly	Swain
Blackstone	Loyall	Temples
Clayton	Mercer	Ware
Cone	Mobley	Wells
Fullwood	Spaun	Wooten
Graham		

The Senate resolved itself into a committee of the whole, Mr. Dunagan in the chair, on the bill to amend an act to incorporate the county Academy, in the town of Greenville, with other Academies, and to appoint Trustees for the same, so far as to appoint two additional Trustees for said Academy at Greenville, in Meriwether county ; and having spent some time therein, the President resumed the chair, and

The bill was reported with amendment.

The Senate took up and agreed to the report ; the bill was read the third time and passed, under the title of

A bill to amend an act to incorporate the county Academy in the town of Greenville, with other Academies, and to appoint Trustees for the same, so far as to appoint two additional Trustees for said Academy at Greenville, in Meriwether county ; also, to appoint additional Trustees for Randolph county.

The Senate resolved itself into a committee of the whole, Mr. Echols of Coweta in the chair, on the bill to add a part of Carroll county to Heard county ; and having spent some time therein, the President resumed the chair, and

The bill was reported without amendment.

The Senate took up and agreed to the report ; the bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, Mr. Echols of Walton in the chair, on the bill to reduce the tax on swamp land subject to overflow ; and having spent some time therein, the President resumed the chair, and

Mr. Echols reported disagreement to the bill ;

The Senate took up and agreed to the report.

The bill to alter and amend the several acts now in force in this state, regulating the fees of the public officers of this state, so far as respects the fees of the Sheriff and Jailor of Chatham county, and for repealing certain parts of the same,

Was ordered to lie upon the table for the balance of the session.

The bill to establish an election district in the town of Powelton, Hancock county,

Was ordered to lie upon the table until called up.

The bill to amend an act entitled an act to provide for the improvement of the roads and rivers of this state, passed Dec. 18th 1829; and

The bill to authorize persons residing in the unlocated part of this state, to give in their names for draws in the approaching land lottery, under certain restrictions,

Were read the second time and ordered for committee of the whole.

Mr Bailey called up his resolution, laid on the table the 12th inst, relative to the employment of a competent Engineer to examine and report the probable expense to render navigable the Chatahoochee river, from West Point in Troup county, to the town of Columbus;

And the same having been read, the question was put on agreeing to it, and decided in the affirmative, by the vote of the President.

The yeas and nays were required to be recorded, and are, yeas 32—nays 32.

Those in the affirmative are, messrs,

Allen	Devereux	Singleton
Avery	Echols of Coweta	Smith
Baber	Ector	Stapleton
Bailey	Groves	St. George
Baker	Harlow	Thomas of Lee
Black	Hines	Waldhauer
Bowen	Holloway	Ware
Brown of Camden	McAllister	White
Brown of Monroe	Mitchell	Williams
Cleveland	Neel	Woolfolk
Daniell	Nisbet	

Those in the negative are, messrs,

Anderson	Faris	Spann
Blackstone	Fullwood	Stewart
Bryan	Graham	Surrency
Burch	Hall	Swain
Cargille	Henly	Thomas of Appling
Clayton	Johnson	Temples
Cone	Loyall	Wells
Dean	Mercer	Wofford
Dunagan	Mobley	Wood
Echols of Walton	Prior	Wooten
Everett	Sheffield	

The Senate adjourned until 3 o'clock P. M.

*SATURDAY, 3 o'clock P. M.*

¶ The following message was received from the House of Representatives by Mr. Dawson, their clerk :

The House of Representatives have passed the following bills, to wit :

The bill to alter and amend an act passed the 22d day of Dec. 1830, entitled an act to provide for the temporary disposal of the improvements and possessions, purchased from the Cherokee Indians and residents.

The bill to add and consolidate the Poor School and Academical fund for the county of Bryan.

The bill to admit certain persons to plead and practice law, and to make them liable for their contracts.

The bill to authorize the Sheriff of Stewart county to dispose of lot of land No. 220, in the 23d district of originally Lee, now Stewart county.

The bill to amend an act entitled an act to charter the Augusta Insurance and Banking Company, passed the 25th Dec. 1827.

The bill to amend an act entitled an act to amend and consolidate the several acts which have been passed in relation to the powers and privileges of the corporation of the city of Savannah, and the hamlets thereof, and for other purposes herein mentioned, passed 24th December, 1825, and for other purposes herein mentioned.

The bill to apportion the representations among the several counties in this state, according to the sixth enumeration, in conformity to the seventh section of the first article of the Constitution.

The bill to lay out and organize a new county, to be composed of all the lands lying West of the Chattahoochee river and North of Carroll county line, within the limits of Georgia.

The bill to alter and amend the act incorporating the Savannah, Ogeechee and Altamaha Canal Company, and for other purposes.

And they have agreed to a report and resolution of the committee appointed to apportion the Census.

The bills contained in the messages of the House of Representatives, lying upon the table, was taken up, and severally read the first time ; excepting

The bill to admit certain persons to plead and practice law in this state,

Which was ordered to be read the first time in June next.

On motion by Mr. Henly,

That the bill of the House of Representatives, providing for the calling of a Convention to revise and amend the 3d, 4th, 7th and

8th sections of the Constitution of the State—*be read the 2d time on the fourth day of July next,*

The yeas and nays were required to be recorded, and it was decided in the negative.

The yeas are 25—the nays are 28.

Those in the affirmative are, m ssrs.

Black	Groves	Surrency
Blackstone	Hall	Swain
Bryan	Henly	Temples
Clayton	Hines	Ware
Dean	Miller	Wells
Echols of Walton	Sheffield	Williams
Everett	Smith	Wofford
Faris	St. George	Wood
Fullwood		

Those in the negative are, messrs.

Allen	Burch	Mitchel
Anderson	Cleveland	Muncrit
Avery	Daniell	Neel
Baber	Dunagan	Nisbet
Bailey	Echols of Coweta	Prior
Baker	Harlow	Singleton
Boykin	Loyall	Stapleton
Brown of Camden	McDougald	White
Brown of Monroe	Mercer	Wooten

The bill was then read the second time, and ordered for committee of the whole.

The following bills of the House of Representatives were read the 2d time and ordered for committees of the whole :

A bill to regulate slaves in the county of Burke, and for other purposes.

A bill to prevent the assemblage or collection of free persons of color or slaves in this state, under pretence of religious worship, or for any other purpose whatsoever, without the express permission of their owners, and of the presence of one or more responsible citizen or citizens of this state.

A bill to alter and amend the oath of Bailiff's who take charge of special and Petit Juries, and for other purposes.

A bill to regulate and make uniform the proceedings against bail in criminal cases.

A bill to loan to the town of Columbus a sum of money for the construction of a bridge across the Chattahoochee river at said town—to provide for the payment of said loan; to make permanent said bridge, and for other purposes ; and

A bill to place a part of the public hands on a road, to commence on the Turnpike road leading from Augusta to Washington near Wrightsborough, and pass through Wrightsborough, Crawfordsville, Greensborough, Madison, Covington, and on to Decatur, for the improvement of the same.

The bill of the House of Representatives to abolish Penitentiary Imprisonment in this state, except in certain cases—to change the mode of punishment for crimes and misdemeanors, and for other purposes, .

Was read the second time, and made the order of the day for committee of the whole for Wednesday next.

The bill of the House of Representatives to separate and divorce Betsy Anderson and Abram Anderson, her husband ; and

The bill of the House of Representatives to separate and divorce Jackson Grizzard and Nancy Grizzard, formerly Nancy Kinchens, his wife, .

Were read the second time and ordered for a third reading.

A memorial of the Surveyor General, John Bethune, Esq. was presented to the Senate, asking to be allowed pay for the employment of an additional clerk in his office ;

Which was read and referred to a select committee, consisting of Messrs. Mitchell, Burch and Brown of Monroe, with power to report by bill or otherwise.

Mr. Brown of Camden, laid upon the table the following resolution :

*Resolved*, That messrs. Boykin, Cone and Thomas of Appling, be a committee on the part of Senate, to join such as may be appointed on the part of the House of Representatives, to bring up the unfinished business of the General Assembly, after its adjournment, and that they be allowed three days to do the same, and to examine the accounts of the members of Senate, and its officers.

Mr. Woolfolk laid upon the table, the following resolution ;

Whereas, the Banks of Darien and Columbus, have paid into the Treasury 25 per cent more than the tax required of them for the year 1831;

*Resolved*, That the Treasurer be authorised to return to the Cashiers of said Banks of Darien and Columbus, the amount of tax overpaid by them for the year 1831.

Mr. Brown of Camden, called up his resolution laid upon the

table the 15th inst. relative to the pay of John Bailey, for keeping the public arms, &c, at Jefferson, Camden county,

And the same having been read, was agreed to.

The Senate adjourned until half past 9 o'clock, Monday morning.

**MONDAY, 19th December, 1831.**

On motion by Mr. Cone to reconsider so much of the Journal of Saturday last, as relates to the Senates's agreeing to the resolution authorizing the employment of a competent Engineer to examine and report the probable expence to render navigable, the Chattahoochee river between West Point, in Troup county, and the town of Columbus,

The yeas and nays were required, and it was decided in the negative.

The yeas are 28—the nays are 34.

Those in the affirmative are, messrs.

Anderson	Echols of Walton	Smith
Blackstone	Fullwood	Spann
Bryan	Graham	Stewart
Cargille	Groves	Swain
Clayton	Hall	Thomas of Appling
Cleveland	Henly	Temples
Cone	Johnson	Wells
Dean	Mobley	Wofford
Dunagan	Prior	Wooten
Echols of Coweta		

Those in the negative are, messrs.

Allen	Bowen	Coxe
Avery	Boykin	Devereux
Baber	Branham	Ector
Baker	Brown of Camden	Harlow
Black	Brown of Monroe	Hines

Holloway  
Loyafl  
McAllister  
McDougald  
Mealing  
Mercer  
Miller

Mitchell  
Muncrief  
Neel  
Nisbet  
Sheffield  
Singleton

Stapleton  
Surrency  
Ware  
White  
Williams  
Woolfolk

Mr. Black presented the Petition of Thomas Smith, Tax Collector of Campbell county, asking to be indulged in the payment of public money, &c.

Which was read and referred to a select committee, consisting of messrs. Black, Towns and Burch.

Mr. Singleton presented the Petition of James Hemphill, of Carroll county, relative to a mill in the Cherokee part of the State.

Which was read and referred to a select committee, consisting of messrs. Singleton, Bowen and Towns.

The Senate took up the following preamble and resolution :

Whereas, some time in the year 1830, Tunnel Haden, then of Wilkinson county, but now Stewart county, became the security of one Carrol Ursury, in a recognizance of \$500, conditioned for the appearance of the said Carrol, at the succeeding term of Wilkinson Superior Court, to answer to a charge of horse stealing.

That the said Ursury failed to attend the court ; whereupon, the recognizance was forfeited, and scire facias issued, returnable to April term, 1831. That before the term to which said writ of scire facias was made returnable, the said Tunnel Haden, became uneasy in consequence of his principal, and acting by the advice of his counsel, made as he thought a proper surrender of his principal to the then sheriff of Wilkinson county, but in fact it was an improper surrender ; whereupon, said scirefacias judgment was obtained against the said Tunnel Haden, at the April term of the Superior court of Wilkinson county, 1831, for the sum \$500, besides interest and cost ; whereupon, execution has issued against the said Tunnel Haden for the said sum of \$500.

*L. it therefore resolved by the Senate and House of Representatives of the State of Georgia, in General Assembly met, that a certain execution issued from the rendition of a judgment in Wilkinson Superior court at April term, 1831, against Tunnel Haden, for the sum of \$500, besides interest and cost, on the forfeiture of his recognizance for the appearance of Carrol Ursery at Wilkinson Superior court, be suspended and not levied, nor collected until the 25th of December, 1832, thereby giving the said Tunnel Haden an opportunity of bringing the said Carrol Ursery to justice.*

Mr. Hall moved to lay the said preamble and resolution on the

table for the balance of the session ; which was decided in the negative, and

The yeas and nays being required to be recorded,

The yeas are 31—the nays are 37.

Those in the affirmative are, messrs.

Anderson	Echols of Walton	Prior
Black	Ector	Singleton
Blackstone	Faris	Smith
Bowen	Fullwood	Spann
Burch	Graham	Stewart
Clayton	Groves	Surrency
Cleveland	Hall	Swain
Cone	Henly	Temples
Dean	Johnson	Ware
Dunagan	Mercer	Wells
Echols of Coweta		

Those in the negative are, messrs.

Allen	Hines	Sheffield
Avery	Holloway	Stapleton
Baber	Loyall	St. George
Baker	McAllister	Thomas of Appling
Brown of Camden	McDougald	Thomas of Lee
Brown of Monroe	McRae	Towns
Bryan	Mealing	Waldhauer
Cargille	Mitchell	White
Coxe	Mobley	Williams
Daniell	Muncrief	Wofford
Devereux	Neel	Wood
Everett	Nisbet	Woolfolk
Harlow		

Mr. Echols of Walton, then proposed the following proviso :

*Provided*, the said Haden give good and sufficient security to the clerk of the Superior court of Stewart county for the payment of said Execution.

Which was read, and together with the preamble and resolution agreed to.

The reconsidered report of the select committee upon the petition Thomas Denny of Madison county was taken up, and

On motion by Mr. Groves that the Senate do now agree to said report,

The yeas and nays were required to be recorded, and there not being a constitutional majority (the said report granting a donation) the motion was decided in the negative.



The yeas are 31—the nays are 30.

Those in the affirmative are, messrs.

Allen	Everett	Mobley
Blackstone	Faris	Prior
Bowen	Graham	Singleton
Boykin	Groves	Smith
Bryan	Henly	Stewart
Cargille	Hines	Swain
Clayton	Holloway	Thomas of Appling
Echols of Coweta	Johnson	Towns
Echols of Walton	McDougald	Wofford
Ector	Mitchell	Woolfolk

Those in the negative are, messrs.

Anderson	Fullwood	Spann
Avery	Hall	Stapleton
Baber	Harlow	St. George
Baker	McRae	Surrency
Brown of Monroe	Mealing	Thomas of Lee
Bureh	Mercer	Temples
Cone	Miller	Wells
Coxe	Muncrief	White
Daniell	Neel	Williams
Devereux	Nisbet	Wooten
Dunagan	Sheffield	

Mr. Brown of Camden, chairman of the committee of Enrolment, reported as duly enrolled, and signed by the Speaker of the House of Representatives, the following acts:

An act to alter and amend an act passed 23d December, 1830, so far as respects the free school fund of Emanuel county.

An act to incorporate the Roman Catholic Church of St. Phillips and St. James, in the town of Columbus and county of Muscogee.

An act to authorize and empower the Justices of the Inferior court of Jefferson county, to establish an Institution in said county for the relief of the invalid poor thereof, and to invest in said court corporate power for the government of the same.

An act to change the time of holding the winter session of the Inferior court of Fayette county.

An act to separate and divorce Sarah Freeman and Caven Freeman, her husband.

An act to separate and divorce Andrew O'Neal and Delpha O'Neal, his wife.

An act to separate and divorce Burwell Kendrick from his wife, Lucy Kendrick.

An act to repeal an act to establish an election district in Camden county, so far as respects the Spanish creek district in said county.

An act to divorce and separate Arianna B. Drumans and John S. Drumaus, her husband ; and

An act to manumit and set free from slavery Sophia, a person of colour, the property of Eli Fenn, and to give her a name.

Ordered, that the committee of Enrolment, carry said acts to his Excellency the Governor, for his assent.

The following message was received from the House of Representatives by Mr. Dawson, their Clerk.

The House of Representatives have agreed to a resolution to appoint Jesse Harris of Dooly county, a commissioner of the public lands below the Federal road in the place of Thomas E. Ward, removed.

And have concurred in the resolution in favour of Henry Smith :

And have passed the following bills :

A bill for the relief of John Bonner and Burwell Ingram of the county of Hancock, from the operation of the act passed the 20th day of December, 1828, concerning duelling.

A bill to incorporate certain Academies and to appoint trustees for said Academies ; and

A bill to incorporate the Insurance Bank of Columbus.

The following report of the military committee was taken up and read.

The committee to whom was referred so much of the Governor's communication as relates to the condition of the Militia, ask leave to report :

That they have been induced after some reflection on the subject, to concur generally in the views presented by the message—They are quite satisfied, and they think the conviction is authorized by experience, that the present system of drilling and training the militia, is entirely inefficient for the purpose for which it is designed—that of imparting to our fellow citizens who are liable to do militia duty, that knowledge of tactics and discipline which is essential to the public defence. They do not feel that they are called upon to support this assertion by argument, believing as they do, that they may confidently appeal to the observation and experience of all those who have given their attention to the subject. The embarrassments under which we labored at the commencement of the late war with Great Britain from the actual condition of the militia at that period, cannot have escaped the recollection of any one. If, during the progress of that contest, this state of things was improved, it was because many of our citizens were called into actual service ; and because individual exertion awakened into activity by the calls of patriotism, sought improvement from all the sources from which it could be derived. The continued repose which we have since enjoyed has produced a

corresponding relaxation, and with it, a decay of discipline and knowledge of tactics. How are they to be revived? In the opinion of the committee it can only be done by encouraging the formation of and discipline of volunteer corps throughout the State. The policy of the United States in this regard, is to keep up in time of peace, the mere skeleton of an army—a few Regiments, scarcely sufficient to garrison the various military posts. But the staff of the army is retained in the war establishment, and the system is capable therefore of being expanded, as any sudden emergency may require, to meet the exigencies of the country. The committee believe that a process in some degree similar to this, may be applied to the militia through the agency of volunteer corps, and by providing for the instruction of the officers. They look to a well disciplined militia as the only safe defence of a free people; and would gladly see the citizen soldiers of Georgia attain that degree of military skill which can alone qualify them for this high office.

With a view to this desirable result, the committee ask leave to offer the following suggestions:

Under the existing laws, persons liable to do military duty, are called out at stated periods to attend company, battalion and regimental parades for the purpose of drill, and an annual parade of review and inspection. These frequent calls upon their time are answered at much inconvenience to themselves, and without producing any corresponding benefit to the public. They operate as a perpetually recurring tax upon the labor and productive industry of individuals, which is regularly paid by them, but the fruits of which are never realized by the community: for these would consist in the improvement of discipline, and the increased knowledge of tactics among the great body of citizen soldiers.—All that is gained to the public is to keep up the staff of the militia, and to ascertain its effective, or more properly, its numerical force. These objects may be attained by a process much more simple, and far less burdensome to those who are liable to militia duty—by the mere enrolment of those who are so liable, and by one annual parade of review and inspection. Those who would be thus relieved from repeated calls which are now made upon their time, would willingly pay a moderate tax, as a commutation for the merely useless service which they are now required to render. The fund thus raised might be employed in creating a numerous and effective volunteer force—in providing the means by which they and the staff of the militia might attain both discipline and skill. Such a corps would receive the requisite organization into companies, battalions and regiments: and if necessary, into brigades and divisions. It would constitute the nucleus of our militia force; would be composed of citizen soldiers trained to the use of arms, to military evolutions, and the duties of the camp, accustomed to subordination and discipline—and with officers thus instructed, capable of communicating the knowledge which they had acquired, and of infusing the spirit which they had imbibed, to and among the great body of the militia, whenever the exigencies of the country should require these to be called into service.

The exemption of persons liable to do military from company battalion and regimental parades, would however take from the commanders of volunteer corps one of the most efficient means which they at present possess of keeping them in force—namely, the preference which young and enterprising men give to service in such a corps over that of the ordinary militia companies. The public interest also would require that such corps should be multiplied. This could only be effected by holding out such inducements as would encourage the youth of our country to enrol themselves in volunteer companies, and the allowance of these should be made to depend on the efficiency of the corps, in members, in discipline, and in military skill.

These inducements might consist—

1. In the exemption, after a specified term of service, from all service in the militia, except in case of war, or insurrection, and from the communication tax before referred to.

2. In the exemption from Jury duty, except in those counties where the number of jurors required by law could not be obtained without including persons who had performed such service.

3. In providing arms and music for the several volunteer companies under such regulations for the safe keeping and return as the Legislature may prescribe, and camp equipage, rations and forage during the continuance of any encampment required or authorized by law.

The contemplated modification of our militia system would require that all the officers of the militia should assemble at stated periods for the purpose of instruction; and the last provision ought to be extended to them when so assembled. It seems to the committee that such a modification of our militia system would greatly tend to improve our means of defence without cost to the State, and without burthen to individuals, since those who are liable to repeated, and vexatious, (because useless calls upon their time,) would gladly relieve themselves from such calls, by the payment of a sum which would not amount to twelve and a half cents for each drill, while the fund thus provided, being set apart and faithfully applied under the direction of future Legislatures to the support and improvement of volunteer corps, and to the instruction of the officers of the militia generally, would diffuse through the body of the militia, a knowledge of tactics on which we might rely with confidence in any emergency.

Until the fund contemplated by this act shall have been raised, it will suffice to provide by law for dispensing with the company, battalion and regimental parades, retaining the annual parade of review and inspection, and to encourage as far as may be done without the aid of that fund the formation of volunteer corps, reserving it to a future Legislature to give full developement to the system, by applying that fund to the improvement of those corps, and to the instruction of the officers of the militia generally. For

these purposes the committee accordingly ask leave to report Bill.

Which said bill to provide for the improvement of the militia system of the State of Georgia, was read second time and ordered for committee of the whole.

The substitute to the report of the joint Judiciary committee to which was referred a letter from the Surveyor General on the subject of the surplus number of district Surveyors elected in pursuance of an act of the last session of the Legislature,

Was taken up, read, and agreed to, and is as follows :

*Resolved, by the Senate and House of Representatives of the State of Georgia, in General Assembly met,* That the Surveyor General be, and he is hereby authorized and required to call on his Excellency the Governor, to examine which counties that were provided by an act of the last Legislature, to be entitled to two district surveyors, have returned the smallest number of representative population agreeable to the Census lately taken.

*And be it further resolved,* that when said Surveyor General has procured such information, he shall by publishing the same make known to the surveyor in each of said counties who was declared elected, and who did receive the lowest number of votes, that his services will not be wanting, there not being as many districts as surveyors elected.

*Provided, nevertheless,* That in any case of vacancy by death, resignation or otherwise, the said three surveyors shall have preference to any other person on the same principle as heretofore provided.

The Senate took up and agreed to the report of the committee on Petitions, on the petition of Evans Shannon, which is as follows :

The committee on Petitions, to whom was referred the petition Evans Shannon, the surveyor of the fourth section of the second division of the territory of this State in the possession of the Cherokee Indians, with the accompanying documents, praying compensation for the loss of time, while engaged in said survey, in consequence of being prevented by said Indians, seven days, from the discharge of said duties—

The committee are of opinion that the prayer of the petitioner is reasonable and just, and they recommend the adoption of the following resolution :

*Resolved,* that the sum of one hundred dollars be, and the same is hereby justly due to Evans Shannon, the surveyor of the fourth section of the second division of the Territory of this State, in the possession of the Cherokee Indians, as compensation for seven days loss of time, of himself and company, in consequence of being

prevented from the regular discharge of his duties by said Indians; and that the sum be inserted in the general appropriation act of the present session.

The Senate resolved itself into a committee of the whole, Mr. Ector in the chair, on the bill of the House of Representatives, to establish election precincts or districts in the several counties hereinafter named in addition to those already established at the several places therein specified, and to punish those who may attempt to violate the provisions of the same, (viz:) the counties of Twiggs, Washington, Franklin, Habersham, Madison, Henry, Stewart, Newton, Early, Jones, and Marion; and having spent some time therein, the President resumed the Chair, and the bill was reported with amendments.

The Senate took up and agreed to the report, the bill was read the third time and passed under the title of a bill to be entitled an act to establish election precincts or districts of the several counties hereinafter named, in addition to those already established at the several places therein specified, and to punish those who may attempt to violate the provisions of the same, (viz:) Twiggs, Washington, Franklin, Habersham, Madison, Henry, Stewart, Newton, Early, Jones, Marion, Campbell, Randolph, Heard, Greene, Clark, Lincoln, Talbot, Merriwether, Hancock, Decatur, DeKalb, Fayette Laurens, Coweta; and to repeal in part, an act passed the 19th of December, 1828, entitled an act to establish and regulate district elections in the county of Talbot.

Ordered, that the Secretary carry said bill forthwith to the House of Representatives.

A message was received from the Governor, by Mr. Cuthbert his Secretary, informing the Senate that

His Excellency had assented to and signed the following acts, which originated in this branch of the General Assembly:

An act to separate and divorce Burwell Kendrick from his wife Lucy Kendrick.

An act to separate and divorce Andrew Oneal and Delpha Oneal, his wife.

An act to separate and divorce Sarah Freeman and Caven Freeman, her husband.

An act to divorce and separate Arianna B. Drumans and John S. Drumans, her husband.

An act to alter and amend an act passed 23d Dec. 1830, so far as respects the Poor School fund of Emanuel county.

An act to repeal an act to establish an election district in Camden county, so far as respects the Spanish Creek district in said county.

An act to change the time of holding the winter session of the Inferior court of Fayette county.

An act to authorise and empower the Justices of the Inferior court of Jefferson county, to establish an institution in said county, for the relief of the invalid poor thereof, and to invest in said court corporate power for the government of the same ; and

An act to incorporate the Roman Catholic Church, of St. Philip and St. James, in the town of Columbus and county of Muscogee.

Ordered, that the committee of Enrolment carry said acts to the Secretary of State's office, and see the great seal of the State affixed thereto.

The Senate resolved itself into a committee of the whole, Mr. Groves in the chair, on the bill to amend the act to provide for the improvement of the roads and rivers of this state, passed Dec. 18th 1829 ; and having spent some time therein, the President resumed the chair, and the bill was reported without amendment.

The Senate took up and agreed to the report ; the bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, Mr. Harlow in the chair, on the bill to add a part of the county of Meriwether, to the county of Harris ; and having spent some time therein, the President resumed the chair, and the bill was reported with amendment.

The Senate took up the report, and

On motion by Mr. McDougald,

Laid the same on the table for the balance of the session.

The Senate resolved itself into a committee of the whole, Mr. Henly in the chair, on the bill to authorise persons residing in the unlocated part of this state to give in their names for draws in the approaching land lottery, under certain restrictions ; and having spent some time therein, the President resumed the chair, and the bill was reported without amendment.

Ordered, that the report lie upon the table till called up.

The Senate took up the report of the committee of Agriculture and Internal Improvement, laid upon the table the 16th inst. relative to the report of Washington Poe, Esq. state's agent, &c.

Which was ordered to lie upon the table till called up.

And the report of the committee on Finance, from the House of Representatives on the same subject, was taken up and concurred in.

The bill to vest in the Intendant and Commissioners of the town of Columbus and their successors, the controul of the public hands in that vicinity,

Was ordered to lie upon the table for the balance of the session.

The Senate took up the resolution of Mr. Brown of Camden, laid upon the table on Saturday last, relative to the appointment of a committee to examine unfinished business, &c.

And the same having been read, was agreed to.

The Senate took up the resolution of Mr. Woolfolk, laid on the table on Saturday last, relative to refunding to the Banks of Darien and Columbus, the amount of tax of 1831, overpaid by said Banks;

When the following was proposed, read and agreed to, as an amendment for the same:

Whereas, some of the Banks of this state have paid into the Treasury, 25 per cent more than the tax required of them for the year 1831; which tax was authorised to be raised by the tax act of 1830:

*Resolved therefore*, that the Treasurer be, and he is hereby authorised to refund to the Banks of this state, which have paid 25 per cent more than the tax required by law, 25 per cent upon the tax by such Banks paid in.

Mr. Singleton, from the committee appointed on the petition of James Hemphill of Carroll county, made a report,

Which was read, and ordered to lie upon the table for the present.

On motion by Mr. Swain,

Whereas, by a vote of the majority of this branch of the Legislature, declaring that Daniel O. Neel, one of the contending parties for a seat as Senator from Decatur county, has not a majority of legal votes from said county, thereby being Constitutionally disqualified to hold a seat as Senator; and whereas the said Neel still remains in his seat, and votes on questions before the Senate:

*Be it therefore resolved*, that Daniel O. Neel is Constitutionally disqualified as a Senator, and that his seat be forthwith vacated.

When, on motion, that the same do lie upon the table for the balance of the session,

The yeas and nays were required, and it was decided in the affirmative.

The yeas are 37—the nays are 34.

Those in the affirmative are, messrs.

Allen	Branham	Daniell
Avery	Brown of Camden	Devereux
Baber	Brown of Monroe	Groves
Baker	Cargille	Harlow
Boydin	Coxe	Hines



Halloway	Mitchell	Surrency
Loyall	Muncricf	Thomas of Appling
McAllister	Nisbet	Thomas of Lee
McDougald	Ray	Waldhauer
McRae	Sheffield	White
Mealing	Stapleton	Williams
Mercer	St. George	Woolfolk
Miller		

Those in the negative are, messrs.

Anderson	Echols of Walton	Smith
Black	Ector	Spann
Blackstone	Faris	Stewart
Bowen	Fullwood	Swain
Bryan	Graham	Temples
Burch	Hall	Towns
Clayton	Henly	Ware
Cleveland	Johnson	Wells
Cone	Mobley	Wofford
Dean	Prior	Wood
Dunagan	Singleton	Wooten
Echols of Coweta		

The Senate adjourned until 3 o'clock, P. M.

### 3 O'CLOCK, P. M.

The following message was received from the House of Representatives, by mr. Dawson, their Clerk:

The House of Representatives have passed the following bills, to wit :

A bill to authorise the formation of a company for constructing a Rail Road or Turnpike Road, from the city of Augusta to Eatonton, and thence Westward to the Chattahoochee river, with Branches thereto, and to punish those who may injure the same.

A bill to authorise the establishment of a Volunteer Company in the county of Taliaferro, and for the equipment of the same.

A bill to authorise and direct the Superintendant of the public hands at Columbus, to open and construct a road from Columbus to Franklin in Troup county, and also to work and improve the road

from Columbus by the way of Lagrange, to the old McIntosh reserve in Carroll county, and also the road from Greenville in Meriwether county to Newnan in Coweta county ; and

A bill to be entitled an act to remit a forfeiture incurred by Thomas H. White and William McCraven, of the county of Columbia.

That they had concurred in a resolution of Senate, in relation to the Brunswick Canal, with an amendment.

And had agreed to a resolution in relation to the working of the public roads in Burke, Jefferson and Washington counties.

The following bills of divorce from the House of Representatives, were read the third time, and upon a count being made, there appearing a Constitutional majority in favor of each of said bills, they were severally passed, to wit :

A bill to separate and divorce Lucinda Strange and Coleman Strange, her husband.

A bill to divorce Polly C. Patterson and Chesley R. Patterson, her husband, and to change the name of said Polly C. Patterson.

A bill to separate and divorce Theophilus Gailor and Mary Gailor, his wife.

A bill to separate and divorce William Branon and Elizabeth Branon, his wife.

A bill to separate and divorce Betsy Anderson and Abram Anderson, her husband.

A bill to separate and divorce Sally Smith from Washington Smith, her husband.

A bill to separate and divorce Mary Coxé and Thomas J. Coxé, her husband.

A bill to separate and divorce Mary Ann Foard and John Foard, her husband.

A bill to separate and divorce Jackson Grizzard and Nancy Grizzard, formerly Nancy Kitchens, his wife.

A bill to separate and divorce John Canning and Elizabeth Canning, his wife.

A bill to separate and divorce Lewellin M. Robinson and Amelia E. Robinson, his wife.

A bill to separate and divorce Maria Augustine and John Augustine.

A bill to separate and divorce Nathaniel Ray and Mary Ray, his wife.

A bill to separate and divorce Jacob Weaver and Catharine Weaver, his wife.

A bill to separate and divorce John Waldrup and Cynthia Waldrup, his wife.

The following bills of the House of Representatives, were severally read the third time and passed, viz :

A bill to amend the Patrol laws of this State, so far as respects the county of Camden.

A bill for the relief of William Quinn.

A bill to authorize each of the religious societies of Milledgeville, to rent or sell their parsonage lot.

A bill to alter and fix the time of holding the summer session of the Superior court of Wilkes county.

A bill to authorize Thomas S. Swain to establish a ferry on his own land, opposite Jacksonville, on the Ocmulgee river, in the county of Telfair.

A bill to alter and fix the time for holding the Inferior courts in the counties of Stewart and Randolph.

A bill to authorise the Clerks, Sheriffs and other officers of the county of DeKalb, to insert their advertisements in one of the Gazettes published at Milledgeville.

A bill to amend an act passed the 22d of December, 1829, making Constables elective by the people, and to raise their fees, so far as respects the county of Camden.

A bill to authorise Larkin Wilson to erect a toll bridge across the Towaliga river, in Monroe county, on the road leading from Forsyth to McDonough at the place known as Wilson's Ferry, and to regulate the rates of toll for the same; and

A bill to incorporate a Volunteer Company in the town of Washington, Wilkes county, to be known by the name of the Washington Guard.

A bill to alter and change the name of Thomas Kettle to the name of Thomas Younge, to sanction the use heretofore, by the said Thomas Kettle, of the name of Thomas Younge, in contracts made by and with him, and for other purposes; and

A bill to alter and amend the 38th section of an act to revise and consolidate the Militia laws of this state, and to repeal the Cavalry laws now in force, passed Dec. 19th, 1818.

The bills contained in the several messages of the House of Representatives of this day, were read the first time.

Mr. Cone laid on the table the following preamble and resolution :

Whereas, the Register of names of the Land Lottery of 1819, now in the Executive office is much injured and torn, and many entirely defaced or lost :

*" Be it resolved by the Senate and House of Representatives of the State of Georgia, That the Surveyor General &c, and he is hereby authorised and required to transcribe, and make an entire new Register of the names of fortunate drawers in the counties of originally Irwin, Early, Walton, Gwinnett, Hall, Habersham and Rabun; and that his Excellency the Governor do, and he is hereby authorised to pay for the same from the contingent fund.*

On motion of mr. Nisbet,  
*Resolved*, that Iverson L. Harris, Esq. Secretary of the Senate,  
 be and he is hereby authorised to employ as many additional Clerks,  
 as may be necessary to the business of his office, not exceeding  
 four.

The Senate then adjourned until half past 9 o'clock, to-morrow  
 morning.

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*TUESDAY, December 20th, 1831.*

On motion by Mr. Blacktone,  
 To reconsider so much of the Journal of yesterday, as relates to  
 laying on the table for the balance of the session, the preamble and  
 resolution offered by mr. Swain, upon the subject of the seat of the  
 hon. Daniel O. Neel, Senator from the county of Decatur,

The yeas and nays were required to be recorded, and the motion  
 was decided in the affirmative.

The Yeas are 38—the Nays are 35.

Those in the affirmative are, messrs.

Anderson	Echols of Walton	Smith
Black	Ector	Spann
Blackstone	Faris	Stewart
Bowen	Fullwood	Swain
Bryan	Graham	Temples
Burch	Groves	Tennille
Cargille	Hall	Towns
Clayton	Henly	Ware
Cleveland	Johnson	Wells
Cone	Mobley	Wofford
Dean	Parrish	Wood
Dunagan	Prior	Wooten
Echols of Coweta	Singleton	

Those in the negative are, messrs.

Allen	Hines	Ray
Avery	Holloway	Sheffield
Baber	Loyall	Stapleton
Bailey	McAllister	St. George
Baker	McDougald	Surrency
Boykin	McRae	Thomas of Appling
Brown of Camden	Mealing	Thomas of Lee
Brown of Monroe	Mercer	Waldhauer
Coxe	Miller	White
Daniell	Mitchell	Williams
Devereux	Muncrief	Woolfolk
Harlow	Nisbet	

Mr. Mitchell, from the committee to whom was referred the petition of John Bethune, Surveyor General, upon the subject of an additional clerk, to be employed in his office, made a report thereupon,

Which was read, and ordered to lie upon the table for the present.

Mr. Allen, chairman of the committee of Agriculture and Internal Improvement, to whom was referred the annual disbursements &c. of the Superintendants of the roads and rivers of this state, in obedience to the direction of the committee, submitted the following resolution :

*Resolved*, that his Excellency the Governor be; and he is hereby requested to cause the quarterly reports of the Superintendents of the roads and rivers to be examined, and have notices appended to each return, of any disbursement that may appear high and out of the usual course, so as to bring the same under the actual inspection of the next Legislature.

Which was read and agreed to.

Mr. Black, from the committee to whom was referred the petition of Thomas Smith, tax collector of Campbell county, laid upon the table, for the present, the following resolution :

*Be it resolved by the Senate and House of Representatives*, That the Comptroller General is hereby required to stay the issuing of an execution against Thomas Smith, tax collector of the county of Campbell, for the year 1831, until the first day of Nov. 1832; provided, the said Thomas Smith shall, on or before the first day of March next, give to the Inferior court of said county, good and sufficient free-hold security, for the faithful payment of said tax with interest on the same.

On motion,

The hon. Senator from the county of Lee, had leave of absence after Friday next, for the balance of the session.

The Senate resolved itself into a committee of the whole, Mr. Wooten in the chair, on the bill of the House of Representatives, to alter and amend "an act to authorise the survey and disposition of the lands within the limits of Georgia, in the occupancy of the Cherokee tribe of Indians, and all other unlocated lands within the limits of said state claimed as creek land, and to authorise the Governor to call out a military force to protect Surveyors in the discharge of their duties, and to provide for the punishment of persons who may prevent or attempt to prevent any Surveyor from performing his duties as pointed out by this act, or who shall wilfully cut down and deface any marked trees, or remove any land mark, which may be made in pursuance of this act, and to protect the Indians in the peaceable possession of their improvements, and of the lots on which they may be situate," passed on the 21st day of Dec. 1830, and to order the immediate survey, distribution and occupancy of the territory; and having spent some time therein, the President resumed the chair, and

The bill was reported with amendment.

The Senate took up the report,

And the first and second sections thereof, having been read and agreed to,

Mr. Nisbet proposed the following as a *third* section in the report :

" *And be it further enacted*, that it is hereby made the duty of his Excellency the Governor, so soon as the entire survey of the lands within the Cherokee nation shall be effected and returned; to cause to be laid out and designated by metes bounds and land marks, around the town of New Echota, a body of land not exceeding in quantity five hundred thousand acres; and to cause said body of land to be checked off, into lots of 500 acres each; and so soon as the perfect survey of said body of land shall be made, it shall be the duty of his Excellency the Governor, to cause the lots of land so surveyed as aforesaid, to be, upon some equitable plan divided among the heads of families, among the Cherokee Indians within the limits of Georgia. Each head of a family being hereby declared to be entitled to one lot—and that the heads of families to whom lots of land shall be assigned, under this act, shall use, have, hold and enjoy the possession of the same, until it shall be by them ceded or relinquished, and so soon as any or all of said lots of land shall be ceded or relinquished by the Indians, they shall become the unqualified property of the state, subject to such disposition as a future Legislature may direct: Provided, that nothing in this section shall be so construed, as to authorise any head of family of Indians, to sell, lease, farm or rent any lands to which possession is given them by this act.

And that if upon a survey of said body of land and an ascertainment of the number of heads of families among the Cherokees, it shall appear that there will not be a lot of land of 500 acres, to each head of a family, then his Excellency is hereby empowered to cause said body of land so to be divided into lots of such size, as shall make the number of lots equal to the whole number of the heads of families among said Indians.

And that the lands herein set apart for the use of the Indians, shall not be subject to be drawn for, and shall not be deposited in the lottery for that purpose, and that the drawing for the Cherokee lands shall not commence until the survey contemplated by this section shall have been made.

And on the question being put, of agreeing to said proposed section,

The same was decided in the negative.

And on motion by Mr. Nisbet,

The yeas and nays were required to be recorded. and are,  
Yeas 12—Nays 62.

Those in the affirmative are, messrs.

Baber  
Bailey  
Baker  
Daniell

McAllister  
Mercer  
Mitchell  
Neel

Nisbet  
Ray  
Sheffield  
Woolfolk

Those in the negative are, messrs.

Allen  
Anderson  
Avery  
Black  
Blackstone  
Bowen  
Boykin  
Branham  
Brown of Camden  
Brown of Monroe  
Bryan  
Burch  
Cargille  
Clayton  
Cleveland  
Cone  
Coxe  
Dean

Devereux  
Dunagan  
Echols of Coweta  
Echols of Walton  
Ector  
Faris  
Fullwood  
Graham  
Groves  
Hall  
Henly  
Hines  
Holloway  
Johnson  
Loyall  
McDougald  
McRae  
Mealing

Miller  
Mobley  
Muncrief  
Parrish  
Prior  
Singleton  
Smith  
Spann  
Stapleton  
Stewart  
St. George  
Surrency  
Swain  
Thomas of Appling  
Thomas of Lee  
Temples  
Tennille  
Towns

Waldhauer  
Ware  
Wells

White  
Williams  
Wofford

Wood  
Wooten

The third section of the report was then read. and is as follows :

*Be it further enacted by the authority aforesaid, that so much of the 35th section of said act, as declares " and in the event that the President of the United States shall at any time during the ensuing recess of the Legislature, succeed in executing the compact between the United States and the state of Georgia, in relation to the Cherokee lands, that the Governor shall order the district Surveyors to proceed to the discharge of their duties, and to the completion of the survey of the districts as required by this act, and to the occupancy of said territory, otherwise the survey of the districts shall be suspended until the next meeting of the General Assembly, and until further enactment for this purpose," be and the same is hereby repealed.*

Whereupon,

Mr. Towns offered the following, as a section in lieu of said third section of the report :

*And be it further enacted by the authority aforesaid, that on or before the first day of April next, the Governor is required to order out the district surveyors, in order to complete the survey of the territory aforesaid, with as little delay as possible ; and it shall be the duty of the said Surveyors, and they shall be instructed and required to note down in their field books, a just and true return of all lots or parts of lots of land on which there may be any improvement or settlement, which lots so improved shall be reserved for the use of the natives residing thereon, who have not enrolled for emigration or sold their improvements to the United States, and they shall be protected in the enjoyment of the same, until their claims shall have been extinguished in conformity to the provisions of the act of which this is amendatory—Nor shall the improved lots upon which any Indian resides, or upon which there is any improvement in the cultivation of any Indian or native, be placed in the lottery to be drawn for, until the right of possession to the same be acquired. But that the Governor shall be authorised and is hereby directed, so soon as the Indian's right of occupancy to said lots or parts of lots in said territory shall be obtained, to cause the same to be drawn for by persons entitled to draw under the provisions of the act of which this is amendatory ; who have not been fortunate drawers in the same.*

And that so soon as the said survey shall be completed and returns thereof made in conformity with the provisions of this act and the before recited act, the Governor may at any time thereafter, when in his judgment the interest & honor of the state shall require it,



cause the lottery commissioners to assemble at Milledgeville to commence the drawing of the lottery, as contemplated.

And on the question being put, of receiving said proposed section in lieu of the third section of the report, it was decided in the negative,

And the yeas and nays required to be recorded thereupon.

The yeas are 32—the nays are 43.

Those in the affirmative are, messrs.

Allen	Daniell	Sheffield
Avery	Devereux	Singleton
Baber	Ector	Stapleton
Bailey	Hines	St. George
Baker	McAllister	Thomas of Appling
Boykin	McRae	Tennille
Branham	Mealing	Towns
Brown of Camden	Mercer	Waldhauer
Brown of Monroe	Mitchell	Woolfolk
Clayton	Neel	Wooten
Coxe	Ray	

Those in the negative are, messrs.

Anderson	Fullwood	Parrish
Black	Graham	Prior
Blackstone	Groves	Smith
Bowen	Hall	Spann
Bryan	Harlow	Suriency
Burch	Henly	Swain
Cargille	Holloway	Thomas of Lee
Cleveland	Johnson	Temples
Cone	Loyall	Ware
Dean	McDougald	Wells
Dunagan	Miller	White
Echols of Coweta	Mobley	Williams
Echols of Walton	Muncrief	Wofford
Everett	Nisbet	Wood
Faris		

Mr. Nisbet then proposed the following as an additional or fifth section to the report :

*And be it further enacted,* that all persons who have been fortunate in any previous land lottery, and who shall since have married and whose wife is now living, shall be entitled to one draw in the approaching land lottery. And that all persons who have been fortunate drawers in any previous land lottery, shall be entitled to one draw, provided that they take the following oath :—"I, A. B.

do solemnly swear that I have not been profited, and do not expect to be profited to the value of \$50 by the lot or lots of land which I have drawn in previous lotteries."

And on the question being put, of agreeing to said proposed additional section, it was decided in the affirmative.

And the yeas and nays were required to be recorded thereupon, and are, Yeas 38—Nays 36.

Those in the affirmative are, messrs.

Allen	Devereux	Singleton
Avery	Echols of Coweta	Stapleton
Baber	Harlow	Stewart
Bailey	Hines	St. George
Baker	McAllister	Thomas of Appling
Boykin	McDougald	Thomas of Lee
Branham	McRae	Tennille
Brown of Camden	Mealing	Waldhauer
Bryan	Mitchell	White
Burch	Neel	Williams
Clayton	Nisbet	Wood
Coxe	Ray	Woolfolk
Daniell	Sheffield	

Those in the negative are, messrs.

Anderson	Faris	Parrish
Black	Fullwood	Prior
Blackstone	Graham	Smith
Bowen	Groves	Spann
Brown of Monroe	Hall	Surrency
Cargille	Henly	Swain
Cleveland	Holloway	Temple
Cone	Johnson	Town
Dean	Loyall	Ware
Dunagan	Mercer	Wells
Echols of Walton	Mobley	Wofford
Everett	Muncrief	Wooten

Mr. Brown of Monroe, then proposed the following as an additional section :

"And also, that all those who were called upon by the Governor as mounted riflemen to guard the Frontier, and who served two or more tours, shall be placed on the same footing as those who served a tour of three months or more in the last war, and shall each be entitled to one draw in the land lottery."

And on the question being put of agreeing to said proposed additional section, it was decided, in the negative;

And the yeas and nays having been required, are Yeas 23—  
Nays 62.

Those in the affirmative are, messrs.

Allen	Daniell	Nisbet
Bailey	Harlow	Parrish
Baker	Hines	Stapleton
Boykin	Holloway	Thomas of Lee
Branham	McDougald	Teunille
Brown of Camden	McRae	Williams
Brown of Monroe	Mercer	Woolfolk
Coxe	Mitchell	

Those in the negative are, messrs.

Anderson	Everett	Sheffield
Avery	Faris	Singleton
Baber	Fullwood	Smith
Black	Graham	Spann
Blackstone	Groves	Stewart
Bowen	Hall	St. George
Bryan	Henly	Surrency
Burch	Johnson	Thomas of Apppling
Cargille	Loyall	Temples
Clayton	McAllister	Towns
Cleveland	Mealing	Waldhauer
Cone	Miller	Ware
Dean	Nobley	Wells
Devereux	Muncrief	White
Dunagan	Neel	Wofford
Echols of Coweta	Prior	Wood
Echols of Walton	Ray	Wooten
Ector		

Mr. Daniell then proposed the following as an additional section to the report :

*And be it further enacted, that all persons who have drawn land in any preceding land lottery, before the removal into this state of persons, who by this act are entitled to a draw in the contemplated land lottery, shall be entitled to one draw in the said land lottery."*

And on the question being put, of agreeing to said proposed additional section,

The yeas and nays were required, and it was decided in the negative.

The yeas are 20—the nays 52.

Those in the affirmative are, messrs.

Allen	Coxe	Ray
Avery	Daniell	Spann
Baber	Harlow	Stapleton
Bailey	Hines	St. George
Baker	McAllister	Thomas of Lee
Boykin	Mereer	Waldhauer
Brown of Camden	Neel	Woolfolk
Bryan	Nesbit	

Those in the negative are, messrs.

Anderson	Faris	Sheffield
Black	Fullwood	Singleton
Blackstone	Graham	Smith
Bowen	Groves	Stewart
Branham	Hall	Surrency
Brown of Mouroe	Henly	Swain
Burch	Holloway	Thomas of Appling
Cargille	Johnson	Temples
Clayton	Loyall	Tennille
Cleveland	McDougald	Townes
Cone	McRae	Ware
Dean	Mealing	Wells
Devereux	Mitchell	White
Dunagan	Mobley	Williams
Eehols of Coweta	Munerief	Wofford
Eehols of Walton	Parrish	Wood
Eetor	Prior	Wooten
Everett		

The report of the committee of the whole on said bill was then agreed to as amended; the bill read the third time under the title of

A bill to alter and amend “an act to authorise the survey and disposition of the lands within the limits of Georgia, in the occupancy of the Cherokee tribe of Indians, and all other unlocated lands within the limits of said state claimed as Creek land, and to authorise the Governor to call out a military force to protect Surveyors in the discharge of their duties, and to provide for the punishment of persons who may prevent or attempt to prevent any Surveyor from performing his duties as pointed out by this act; or who shall wilfully cut down and deface any marked trees, or remove any land mark which may be made in pursuance of this act; and

to protect the Indians in the peaceable possession of their improvements, and of the lots on which they may be situated, passed on the 21st day of December, 1830, and to order the immediate survey, distribution and occupancy of the territory ; and to authorise the Governor to order out the district Surveyors ; and upon the completion of the survey, to cause the lottery commissioners to assemble and commence the drawing of the lottery, when in his judgment the interests of the state may require it—and to entitle the fortunate drawers in previous land lotteries to a participation in the benefits of this, upon certain conditions.

And on the question being put, shall the bill now pass? the same was decided in the affirmative,

And the yeas and nays required to be recorded thereupon, which are Yeas 53—Nays 23.

Those in the affirmative are, messrs.

Anderson	Fullwood	Spanna
Black	Graham	Stewart
Blackstone	Groves	St. George
Rowen	Hall	Surrency
Brown of Camden	Henly	Swain
Bryan	Holloway	Thomas of Appling
Burch	Johnson	Thomas of Lee
Cargille	McDougald	Temples
Clayton	McRae	Tennille
Cleveland	Miller	Towns
Cone	Mobley	Ware
Dean	Muncrief	Wells
Dunagan	Parrish	White
Echols of Coweta	Prior	Williams
Echols of Walton	Ray	Wofford
Eeter	Sheffield	Wood
Everett	Singleton	Wooten
Faris	Smith	

Those in the negative are, messrs.

Allen	Coxe	Mercer
Avery	Daniell	Mitchell
Baber	Devereux	Neel
Bailey	Harlow	Nisbet
Baker	Hines	Stapleton
Boykin	Loyall	Waldhaucr
Branham	McAllister	Woolfolk
Brown of Monroe	Mealing	

The following message was received from the House of Representatives, by Mr. Dawson, their clerk :

The House of Representatives have passed the following bills, to wit :

A bill to authorize the erection of a Lazaretto at the city of Savannah.

A bill to alter and amend an act entitled an act to define the liability of securities on appeal on stay of Execution, and for the protection of bail on recognizance, bond, note or other contract, passed 20th day of December, 1826.

A bill to incorporate the Baptist Church at Holly Spring, on Rocky creek in the county of Laurens, and the Baptist Church at Mount Zion in Hancock county, and the Baptist Church at Bethel, in the county of Hancock, and to appoint Trustees for the said Churches.

A bill to alter and amend an act to incorporate the town of Monroe in the county of Walton.

A bill for the relief of William R. Russell of Upson county, and for other purposes.

A bill to authorize certain commissioners therein named, to raise the sum of 1500 dollars by lottery, for the purpose of building an Academy in the town of Fort Gaines.

A bill to authorize a lottery for the purpose of raising within a certain time the sum of two thousand dollars, to be appropriated to the building of a bridge in the county of Hall, and the keeping the same in good order, and to appoint commissioners to carry the said act into effect.

A bill for the relief of John Burgess, of Franklin county.

A bill to amend the several acts passed in relation to the powers and privileges of the corporation of the town of Athens.

A bill for the relief of James Heuson of Rabun county.

A bill to authorize the planters and inhabitants of Skedaway Island in the county of Chatham, to erect a bridge across Skedaway narrows, under certain restrictions herein contained.

A bill to authorize the Inferior court of Hancock county, to improve the public roads in said county.

A bill granting mill-race privileges to certain persons therein mentioned ; and

A bill to appropriate money for the political year 1832.

The House has agreed to some, and disagreed to other amendments, made by Senate, to the bill of the House creating election districts, and requests the Senate respectfully to recede and concur.

They have agreed to the amendment of Senate to the bill of the House, to separate and divorce Richard G. Thompson and Fanny Thompson.

The Senate adjourned until half past 3 o'clock, P. M.

*TUESDAY, half past 3 o'clock, P. M.*

The Senate resolved itself into a committee of the whole; Mr. Wood in the chair, on the bill to lay out the Gold region in the lands at present in the occupancy of the Cherokee Indians, into small lots, and dispose of the same by separate lottery; and having spent some time therein, the President resumed the chair, and the bill was reported with amendment.

The Senate took up the report of the committee, and the first section was read as follows :

*Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same, that districts Nos. 1, 2, 3, 4, 5, 11, 12, 13, 14, and 15, in the 1st section—Districts No. 1, 2, 3, 15, 16, 17, 18, 19, and 21, in the 2d section—Districts No. 1, 2, 3, 4, 17, 18, 19, 20, and 21, in the 3d Section—and districts No. 1, 2, 3, 16, and 17, in the 4th Section, shall, by the Surveyors heretofore pointed out by Law, be subdivided into lots of 40 acres each, by lines running parallel with the district lines, at the distance of 20 chains apart, and crossed by other lines at right angles, and of the like distance from each other, marked and numbered according to the plan prescribed by the Surveyor General."*

When, Mr. Echols of Walton moved to strike out in said section "forty" as the number of acres in each lot, and insert in lieu thereof "one hundred and sixty."

On motion,

The question was divided, and on agreeing to strike out,

The yeas and nays were required, and it was decided in the negative

The yeas are 30—the nays are 42.

Those in the affirmative are, messrs.

Anderson	Cone	Fullwood
Blackstone	Dean	Graham
Bowen	Dunagan	Groves
Burch	Echols of Walton	Hall
Cargille	Ector	Henly
Cleveland	Faris	Johnson

Mobley	Spann	Wells
Parrish	Swain	Wofford
Prior	Towns	Wood
Smith	Ware	Wooten

Those in the negative are, messrs.

Allen	Devèreux	Neel
Avery	Echols of Coweta	Nisbet
Baber	Harlow	Sheffield
Bailey	Hines	Singleton
Baker	Holloway	Stapleton
Black	Loyall	Stewart
Boykin	McAllister	St. George
Branham	McDongald	Surrency
Brown of Camden	McRae	Thomas of Appling
Brown of Montôe	Mealing	Temples
Bryan	Mercer	Tennille
Clayton	Miller	White
Coxe	Mitchell	Williams
Daniell	Muncrief	Woolfolk

The second section of the report was then read as follows :

*" And be it further enacted,* that the following shall be the description and qualification of persons entitled to a draw under this act, to wit :

Every white male person of the age of eighteen years and upwards, being a citizen of the United States, and an inhabitant within the original limits of this state three years immediately preceding the first of January, 1832, including such as shall be absent on lawful business, shall be entitled to one draw; but no person shall be entitled to a draw under this act, who has a family residing out of this State, or whose family has not resided in this state for three years as aforesaid, except officers in the Army or Navy of the United States; provided, said person has had a family so long ;

All widows with like residence shall be entitled to one draw;

All families of orphans of like residence except such as may be entitled in their own right, shall have one draw ;

And all heads of families one additional draw, in consideration of their families."

Mr. Ector moved the following as a proviso to said second section :

" Provided nothing in this act shall be so construed as to entitle any member of the present Legislature, or his relations of any description whatever, to any benefits of this act."



And on the question of agreeing to said proposed proviso,

The yeas and nays were required to be recorded, and are Yeas 17—Nays 53.

So it was decided in the negative.

Those in the affirmative are, messrs.

Anderson	Echols of Walton	Prior
Blackstone	Ector	Swain
Bowen	Fullwood	Temples
Burch	Henly	Ware
Dunagan	Johnson	Wells
Echols of Coweta		

Those in the negative are, messrs

Allen	Devereux	Parrish
Avery	Everett	Sheffield
Baber	Faris	Singleton
Bailey	Graham	Smith
Baker	Groves	Spann
Black	Hall	Stapleton
Boykin	Harlow	Stewart
Branham	Hines	St. George
Brown of Camden	Holloway	Surrency
Brown of Monroe	Loyall	Thomas of Appling
Bryan	McDougald	Tennille
Cargille	McRae	Towns
Clayton	Mealing	White
Cleveland	Mercer	Williams
Cone	Miller	Wofford
Coxe	Mitchel	Woolfolk
Daniell	Muncie	Wooten
Dean	Nisbet	

On motion by Mr. Mitchell,

The words "usual fees" as the price or fee of the grants, in the 5th section, were stricken out, and the sum of "ten dollars" inserted therein.

Mr. Henly proposed the following, as an additional section to said report as amended:

*"And be it further enacted, that no fortunate drawer or any person authorized by him, shall be permitted to dig for gold, until he shall have first taken out his grant."*

And on the question of agreeing to said proposed additional section,

It was decided in the negative.

And the yeas and nays required to be recorded thereupon, which are, Yeas 28—Nays 43.

Those in the affirmative are, messrs.

Anderson	Graham	Prior
Blackstone	Hall	Spann
Bowen	Henly	St. George
Cargille	Holloway	Swain
Clayton	McDougald	Temples
Dunagan	Mealing	Tennille
Echols of Coweta	Mercer	Ware
Echols of Walton	Mobley	Wells
Everett	Parrish	Wooten
Fullwood		

Those in the negative are, messrs

Allen	Daniell	Nisbet
Avery	Dean	Sheffield
Baber	Devereux	Singleton
Bailey	Ector	Smith
Baker	Faris	Stapleton
Black	Groves	Stewart
Boykin	Harlow	Surrency
Branham	Hines	Thomas of Appling
Brown of Camden	Johnson	Waldhauer
Brown of Monroe	Loyall	White
Bryan	McRae	Williams
Burch	Miller	Wofford
Cleveland	Mitchell	Wood
Cone	Muncrief	Woolfolk
Coxe		

The report of the committee of the whole on said bill was then agreed to, as amended.

The bill was read the third time and on its passage,

The yeas and nays were required, and it was determined in the affirmative.

The yeas are 37—the nays are 36.

Those in the affirmative are, messrs.

Allen	Boykin	Burch
Avery	Branham	Cone
Bailey	Brown of Camden	Daniell
Baker	Brown of Monroe	Devereux
Black	Bryan	Harlow

Hines	Mitchell	St. George
Holloway	Muncrief	Surrency
Loyall	Nisbet	Thomas of Appling
McDougald	Sheffield	Tennille
McRae	Singleton	Waldhauer
Mealing	Spann	White
Mercer	Stapleton	Williams
Miller		

Those in the negative are, messrs.

Anderson	Ector	Prior
Baber	Everett	Smith
Blackstone	Faris	Stewart
Bowen	Fullwood	Swain
Cargille	Graham	Temples
Clayton	Groves	Towns
Cleveland	Hall	Ware
Coxe	Henly	Wells
Dean	Johnson	Wofford
Dunagan	McAllister	Wood
Echols of Coweta	Mobley	Woolfolk
Echols of Walton	Parrish	Wooten

The following message was received from the House of Representatives, by Mr. Dawson, their Clerk:

The House of Representatives have passed the following bills, to wit :

A bill to authorise John Schley to practice medicine in this state.

A bill to impose, levy and collect a tax, for the political year 1832, on real and personal property, and to inflict penalties for neglecting or failing to comply with the same.

A bill amendatory of and supplemental to "an act to lay off, define and keep open the main channel of Savannah river, from Augusta to the mouth of Lightwood Log Creek, in Elbert county, so as to prevent the obstructions of navigation, and the free passage of fish therein, and to punish those who may obstruct the same, and to appoint commissioners to carry the provisions of this act into effect, and to point out the mode of their compensation, passed 22d Dec. 1829, and also the act passed 22d Dec. 1830, to amend the said recited act.

A bill to declare and make certain the law defining the liability of securities and endorsers of promissory notes, and other instruments.

A bill to remove the undisbursed funds of the Smithville Academy in Early county, to the town of Fort Gaines in said county ; and

A bill to authorize the Justices of the Inferior court of Baldwin county, to remit a forfeiture incurred by Robert Reynolds.

The have concurred in the resolution of Senate, that both branches of the General Assembly will convene in the Representative Chamber on Monday next, for the purpose of electing five Directors for the Bank of Darien, two for the Planters Bank, and four for the Bank of the State of Georgia, with an amendment.

The Senate adjourned until 1-2 past 9 o'clock to-morrow morning.

### WEDNESDAY, 21st Dec. 1831.

On motion by Mr. Wofford, the Senate reconsidered so much of the Journal of yesterday as relates to the passage of the bill of the House of Representatives, to alter and amend an act to authorize the survey and disposition of the lands within the limits of Georgia, in the occupancy of the Cherokee tribe of Indians and all other unlocated lands within the limits of said State, claimed as Creek land, &c. &c.; and

On motion by Mr. Wood,

The 5th section of said bill was recommitted to a committee of the whole.

On motion by Mr. Dunagan to reconsider so much of the Journal of yesterday as relates to the passage of the bill to lay out the Gold Region in the lands at present in the occupancy of the Cherokee Indians, into small lots, and dispose of the same by separate lottery,

The yeas and nays were required thereupon, and  
Are yeas 34—nays 39.

Those in the affirmative are, messrs.

Anderson	Cone	Faris
Black	Dean	Fullwood
Blackstone	Dunagan	Graham
Bowen	Echols of Coweta	Groves
Cargille	Echols of Walton	Hall
Clayton	Ector	Henly
Cleveland	Everett	Johnson

<b>Mobley</b>	<b>Stewart</b>	<b>Ware</b>
<b>Parrish</b>	<b>Swain</b>	<b>Wells</b>
<b>Prior</b>	<b>Thomas of Lee</b>	<b>Wofford</b>
<b>Smith</b>	<b>Towns</b>	<b>Wooten</b>
<b>Spann</b>		

Those in the negative are, messrs.

<b>Allen</b>	<b>Harlow</b>	<b>Sheffield</b>
<b>Avery</b>	<b>Hines</b>	<b>Singleton</b>
<b>Bailey</b>	<b>Holloway</b>	<b>Stapleton</b>
<b>Baker</b>	<b>Loyall</b>	<b>St. George</b>
<b>Boykin</b>	<b>McRae</b>	<b>Surrency</b>
<b>Branham</b>	<b>Mealing</b>	<b>Thomas of Ap</b>
<b>Brown of Camden</b>	<b>Mercer</b>	<b>Temples</b>
<b>Brown of Monroe</b>	<b>Miller</b>	<b>Tennille</b>
<b>Bryan</b>	<b>Mitchell</b>	<b>Waldhauer</b>
<b>Burch</b>	<b>Muncrief</b>	<b>White</b>
<b>Coxe</b>	<b>Neel</b>	<b>Williams</b>
<b>Daniell</b>	<b>Nisbet</b>	<b>Wood</b>
<b>Devereux</b>	<b>Ray</b>	<b>Woolfolk</b>

Mr. Echols of Walton, moved that the Senate go into con on the 5th section of the land bill, and on agreeing to said

The yeas and nays were required to be recorded, and  
Are yeas 43—nays 28.

Those in the affirmative are, messrs.

<b>Anderson</b>	<b>Faris</b>	<b>Spann</b>
<b>Black</b>	<b>Fullwood</b>	<b>Stewart</b>
<b>Blackstone</b>	<b>Graham</b>	<b>Surrency</b>
<b>Bowen</b>	<b>Groves</b>	<b>Thomas of Lee</b>
<b>Bryan</b>	<b>Hall</b>	<b>Temples</b>
<b>Burch</b>	<b>Henly</b>	<b>Tennille</b>
<b>Cargille</b>	<b>Johnson</b>	<b>Towns</b>
<b>Clayton</b>	<b>Miller</b>	<b>Ware</b>
<b>Cleveland</b>	<b>Mobley</b>	<b>Wells</b>
<b>Cone</b>	<b>Neel</b>	<b>Williams</b>
<b>Dean</b>	<b>Parrish</b>	<b>Wofford</b>
<b>Dunagan</b>	<b>Prior</b>	<b>Wood</b>
<b>Echols of Coweta</b>	<b>Singleton</b>	<b>Woolfolk</b>
<b>Echols of Walton</b>	<b>Smith</b>	<b>Wooten</b>
<b>Ector</b>		

Those in the negative are, messrs.

<b>Allen</b>	<b>Bailey</b>	<b>Boykin</b>
<b>Avery</b>	<b>Baker</b>	<b>Branham</b>

Brown of Camden	Loyall	Ray
Brown of Monroe	McRae	Sheffield
Coxe	Mealing	Stapleton
Daniell	Mercer	St. George
Devereux	Mitchell	Thomas of Appling
Harlow	Muncrief	Waldhauer
Hines	Nisbet	White
Holloway		

Whereupon, the Senate resolved itself into a committee of the whole, Mr. Wooten in the Chair, on the said fifth section, in the following words—

*“ And be it further enacted, That all persons who have been fortunate drawers in any previous land lottery, and who shall since have married, and whose wife is now living, shall be entitled to one draw in the approaching land lottery. And that all persons who have been fortunate drawers in any previous land lottery, shall be entitled to one draw, provided that they take the following oath—*“ I, A. B., do solemnly swear that I have not been profited, and do not expect to be profited to the value of \$50, by the lot or lots of land which I have drawn in previous land lotteries ;” and having spent some time therein, the President resumed the Chair, and Mr. Wooten reported that the committee had disagreed to said section.

The Senate took up the report, and Mr. Branham offered the following as a substitute for the same—

*“ And that all persons who have drawn land in any previous land lottery, shall be entitled to one draw, who shall take the following oath, to wit: “ I, A. B., do solemnly swear (or affirm, as the case may be) that the land which I have drawn in any previous land lottery in this State, is not worth the sum of \$50, and that I have not realized any thing for it amounting in value to \$50—so help me God.*

*Provided, that nothing in this section, shall be so construed as to permit any person to have a draw in the approaching land lottery, who may have drawn land in any previous land lottery, and who has sold or in any way disposed of his right to said land previous to the drawing of either of the land lotteries heretofore drawn, except persons who have drawn as soldiers.”*

Mr. Echols of Coweta, proposed the following as an amendment—

*“ That all persons who were entitled to but one draw, in any previous lottery, and drew, and have since married and have families, shall be entitled to one draw ; and*

*Mr. Cone also proposed the following :*

*Provided, that any lot or lots hereafter drawn by virtue of this*

act, without the legal qualifications of the drawer, such shall be deemed fraudulently drawn, and on information and proof, shall be condemned; and the law of the year 1830, in regard to fraudulent drawers, shall extend to, and be a part of this act."

When mr. Echols of Walton, moved that all the amendments proposed, lie upon the table for the balance of the session; and on the question being put, of agreeing to said motion, it was decided in the affirmative, and the yeas and nays required to be recorded thereupon.

The yeas are 44—the nays 29.

Those in the affirmative are, messrs.

Anderson	Fullwood	Stewart
Black	Graham	Surrency
Blackstone	Groves	Swain
Bowen	Hall	Thomas of Appling
Brown of Monroe	Henly	Thomas of Lee
Cargille	Johnson	Temples
Clayton	Loyall	Towns
Cleveland	Merecr	Ware
Cone	Miller	Wells
Dean	Mobley	White
Dunagan	Munciet	Williams
Echols of Coweta	Parrish	Wofford
Echols of Walton	Prior	Wood
Everett	Smith	Wooten
Faris	Spann	

Those in the negative are, messrs.

Allen	Daniell	Nisbet
Avery	Devereux	Ray
Bailey	Ector	Sheffield
Baker	Harlow	Singleton
Boykin	Hines	Stapleton
Branham	Holloway	St. George
Brown of Camden	McRae	Tennille
Bryan	Mealing	Waldhauer
Burch	Mitchell	Woolfolk
Coxe	Neel	

The report of the committee of the whole was then agreed to, and the bill read the third time and passed.

The following message was received from the House of Representatives by mr. Dawson, their Clerk :

The House of Representatives have passed the following bills of Senate, to wit :

The bill to incorporate a Banking Company under the name of the Commercial Bank at Macon.

The bill to make permanent the public site in the county of Irwin, and to appoint commissioners for the same.

The bill to authorize the Judge of the Superior court of the Southern circuit, to hold an extra term of said court in the county of Decatur.

The bill giving the Intendant and members of the council of the town of St. Marys, authority to act as Justices of the Peace in certain cases, with amendments.

They have concurred in the report of the joint committee on Printing.

In the report on the petition of sundry citizens of Burke county; made by Senate in relation to the roads, &c.

They have passed the bill of the House to encourage the volunteer troop of cavalry composing the squadron of the first military division of this State.

The bill of Senate to alter and amend an act to impose an additional tax on Peddlers and other itinerant traders, passed 9th Dec. 1824, and to punish such traders for illegal trading with slaves.

They have agreed to a resolution that the Governor furnish six copies of Prince's Digest for the use of the Justices of the Peace of the several districts in DeKalb county, and twelve copies of Prince's Digest and the Georgia Justice for the county of Decatur.

They have agreed to a resolution in favour of John Wells, tax collector of the county of Bryan for the years 1823 and 1824.

The Senate took up the messages of the House of Representatives, and receded from its amendments, to which the House had disagreed, and concurred in the amendments of the House to the bill establishing various additional election districts in several of the counties of the State, with an amendment.

To the motion of Mr. Bowen, adding another section to said bill to establish an additional election district in the county of Carroll, at the place of holding Magistrate's courts in the 9th district of said county.

The Senate also took up and amended the amendment of the House to the resolution of the Senate relative to the election of certain Bank Directors, by altering the time fixed upon by the House, to 3 o'clock, P. M. of to-morrow, as the time for said election.

And the Senate took up and concurred in the amendments of the House to the bill of Senate relative to extending the jurisdiction of the city council of St. Marys, in Camden county, and to the reso.



tion of Senate relative to the improvement in the navigation of Rail Road creek, contiguous to Brunswick in Glynn county.

The Senate took up the reconsidered preamble and resolution of Mr Swain, relative to the seat of the hon. D. O. Neel, Senator from the county of Decatur ; and on the question being put of agreeing to the same, it was decided in the affirmative, and the yeas and nays required to be recorded thereupon.

The yeas are 36—the nays 32.

Those in the affirmative are, messrs.

Anderson	Everett	Smith
Black	Faris	Spann
Blackstone	Fullwood	Stewart
Bowen	Graham	Swain
Cargille	Groves	Temples
Clayton	Hall	Tennille
Cleveland	Henly	Townes
Conte	Johnson	Ware
Dean	Mobley	Wells
Dunagan	Parrish	Wofford
Echols of Coweta	Prior	Wood
Echols of Walton	Singleton	Wooten
Ector		

Those in the negative are, messrs.

Allen	Hipes	Ray
Bailey	Holloway	Sheffield
Baker	Loyall	Stapleton
Boykin	McDougald	St. George
Branham	McRae	Surrency
Brown of Camden	Mealing	Thomas of Appling
Brown of Monroe	Mercer	Waldhauer
Coxe	Miller	White
Daniell	Mitchell	Williams
Devereux	Muncrief	Woolfolk
Harlow	Nesbit	

Mr. Anderson, Chairman of the joint military committee, to whom was referred the resolution of the Senate enquiring into the expediency of changing that part of the Constitution, that relates to the General Officers, so as to make them elected by the people of their respective Divisions and Brigades reported,

Your committee have had the same under consideration and are of the opinion that no important changes should be made in the Constitution of this State unless called loudly for by the people of the same ; and beg leave to be discharged from the further consideration of the subject.

Which was read and agreed to.

The Senate resolved itself into a committee of the whole, Mr. Ector in the Chair, on the bill of the House of Representatives to abolish Penitentiary imprisonment in this State, except in certain cases, to change the mode of punishment for crimes and misdemeanors, and for other purposes; and having spent some time therein, the President resumed the Chair, and the bill was reported without amendment.

The Senate took up and agreed to the report; the bill was read the third time, and on its passage,

The yeas and nays were required and it was determined in the affirmative.

The yeas are 45—the nays are 24.

Those in the affirmative are, messrs.

Anderson	Echols of Walton	Prior
Black	Ector	Singleton
Blackstone	Everett	Smith
Bowen	Faris	Spann
Brown of Camden	Fullwood	Stewart
Brown of Monroe	Graham	St. George
Bryan	Hall	Surrency
Burch	Henly	Swain
Cargille	Holloway	Thomas of Appling
Clayton	Johnson	Temples
Cleveland	McRae	Towns
Cone	Miller	Ware
Dean	Mobley	Wells
Dunagan	Muncrief	Wofford
Echols of Coweta	Parrish	Wood

Those in the negative are, messrs.

Allen	Devereux	Nisbet
Avery	Groves	Sheffield
Bailey	Harlow	Stapleton
Baker	Hines	Tennille
Boykin	Loyall	Waldhauer
Branham	Mealing	Williams
Coxe	Mercer	Woolfolk
Daniell	Mitchell	Wooten

The Senate adjourned until half past 3 o'clock, P. M.

WEDNESDAY,  $\frac{1}{2}$  PAST 3 O'CLOCK, P. M.

On motion by Mr. Cone,

Whereas, the register of names of the land lottery of 1819, now in the Executive Office, is much injured and torn, and many parts entirely defaced or lost,

*Be it resolved by the Senate and House of Representatives of the State of Georgia,* That his Excellency the Governor be, and he is hereby authorized to employ some fit and proper person to transcribe and make an entire new register of the names of fortunate drawers in the counties of originally, Irwin, Early, Walton, Gwinnett, Hall, Habersham and Rabun; and that his Excellency the Governor be, and he is hereby authorized to pay for the same from the contingent fund.

Mr. Brown of Camden, Chairman of the committee of Enrolment, reported as duly enrolled and signed by the Speaker of the House of Representative, the following acts:

An act to separate and divorce Mary Cox and Thomas J. Cox, her husband.

An act to separate and divorce Jacob Weaver and Catharine Weaver, his wife.

An act to separate and divorce Nathaniel Ray, and Mary Ray, his wife.

An act to separate and divorce Theophilus Gailor and Mary Gailor, his wife.

An act to separate and divorce Lewellen M. Robinson and Amelia E. Robinson, his wife.

An act to separate and divorce Betsey Anderson and Abram Anderson, her husband.

An act to divorce Polly C. Patterson, and Chesley R. Patterson, her husband, and to change the name of said Polly C. Patterson.

An act to separate and divorce Lucinda Strange and Coleman Strange, her husband

An act to separate and divorce Fanny Thompson and Richard G. Thompson, her husband, and

Mary Ann Caroline Turner and Robert Turner, her husband.

An act to separate and divorce John Walrup and Cynthia Walrup, his wife.

An act to separate and divorce John Canning and Elizabeth Canning, his wife.

An act to separate and divorce William Brannon and Elizabeth Brannon, his wife.

An act to separate and divorce Mary Ann Foard and John Foard, her husband.

An act to separate and divorce Sally Smith from Washington Smith, her husband.

An act to separate and divorce Jackson Grizzard and Nancy Grizzard, formerly Nancy Kitchen, his wife

An act to separate and divorce Maria Augustine and John I Augustine, her husband.

An act to alter and fix the time of holding the summer session of the Superior court of Wilkes county.

An act to authorize each of the religious societies of Milledgeville to rent or sell their parsonage lots.

An act for the relief of William Quinn of the county of Lincoln.

An act to authorize the clerks, sheriffs, and other officers of the county of DeKalb, to insert their advertisements in one of the Gazettes published at Milledgeville.

An act to authorize Thomas S. Swain to establish a ferry on his own land opposite Jacksonville, on the Ocmulgee river, in the county of Felfair.

An act to authorize Larkin Wilson to erect a toll bridge across the Towaliga river in Monroe county.

An act to alter and fix the time for holding the Inferior courts in the counties of Stewart and Randolph.

An act to amend an act passed the 22d of Dec. 1820, making Constables elective by the people, and to raise their fees, so far as respects the county of Camden.

An act to amend the patrol law of this State, so far as respects the county of Camden.

An act to alter and amend the 38th section of an act to revise and consolidate the militia laws of this State and to repeal the cavalry laws now in force, passed December the 19th, 1818, so far as respects the appointment of Judge Advocate.

An act to incorporate a volunteer company in the town of Washington, Wilkes county, to be known by the name of the Washington Guard; and

An act to alter and change the name of Thomas Kettle to the name of Thomas Young; to sanction the use heretofore by the said Thomas Kettle of the name of Thomas Young, in contracts made by and with him, and for other purposes.

Ordered, that the committee of Enrolment, carry said acts to his Excellency the Governor, for his assent.

The following message was received from the House of Representatives by Mr. Dawson, their Clerk:

The House of Representatives have agreed to the amendment of Senate, to the bill of the House relative to the amendment of Senate, to the bill authorizing the survey, distribution, and occupancy of the Cherokee country, &c.

And they have agreed to the amendment made by Senate, to the amendment of the House to the resolution of Senate, relative to the election of certain Bank Directors.

The following bills of the House of Representatives were read the second time and ordered for a third reading.

A bill to add a part of Oglethorpe county, to the county of Madison.

A bill to authorise the payment of certain monies to the Trustees of Laurens county Academy, and certain other monies to the Superior court of Laurens county, or to the Trustees of the poor school fund of said county.

A bill to amend and consolidate the several acts which have been passed in relation to the powers and privileges of the corporation of the city of Savannah and the Hamlets thereof, and for other purposes herein mentioned, passed 24th December, 1825, and for other purposes therein mentioned.

A bill to authorise James G. Salisbury, to establish a ferry across the Chattahoochee river in Randolph county.

A bill to incorporate a Volunteer Patrol Association in the county of McIntosh, under the name and style of the Corps of vigilance.

A bill to authorise the citizens of Mallorysville and its vicinity, to raise a volunteer rifle company, to be known by the name and style of the Mallorysville Rifle Company and to extend thereto certain privileges.

A bill to amend the several acts regulating the court of common pleas, for the city of Augusta.

A bill amendatory of the 15th, 22d and 24th sections of an act passed on the 19th day of December, 1818, entitled an act to revise and consolidate the militia laws of this State, and to repeal the Cavalry laws, now in force.

A bill to be entitled an act to alter and change the names of certain persons.

A bill to authorize Robert Ligon to erect a toll bridge across Chestatee river, and to regulate the rates of toll for the same.

A bill to alter and amend an act passed the 23d Dec. 1830, prescribing the manner of holding elections in the several election districts, in the several counties of this State, and to punish those who may defeat or violate the election laws of force in this State, so far as respects the county of Liberty.

A bill to repeal the 1st section of an act entitled an act to make Constables elective by the people, and the mode of taking their bonds, and to point out their duty in certain cases, so far as said act relates to the county of Chatham.

A bill to authorise the Justices of the Inferior court of Wilkes county, or a majority of them, to hire or purchase negroes, for the improvement of roads and bridges in said county; also to authorise said court to levy an extra tax, for the purpose of carrying the same into effect.

The following bills of the House of Representatives were severally read the second time and ordered for committees of the whole :

A bill to add and consolidate the poor school and academical fund for the county of Bryan, and to appoint commissioners to examine the county treasury of Crawford county.

A bill to apportion the Representation among the several counties in this State, according to the sixth enumeration, in conformity to the seventh section of the first article of the Constitution.

A bill to authorize the Sheriff of Stewart county to dispose of lot

of land No. 220, in the 23d district of originally Lee, now Stewar county.

A bill to alter and amend the militia laws, so far as respect the county of McIntosh.

A bill to alter and amend the act incorporating the Savannah, Ogeehee and Altamaha Canal Company, and for other purposes.

A bill for the relief of Thomas S. Wayne, of the county of Chatham, from the operation of the act passed the 20th December, 1828 against duelling.

A bill to lay out and organize a new county, to be comprized of all the lands lying west of the Chattahoochee river, and north of Carroll county line, within the limits of Georgia.

A bill to amend an act entitled an act to charter the Augusta Insurance and Banking Company, passed the 23d Dec. 1827: and

A bill to alter and amend an act passed the 22d day of December, 1830, entitled an act to provide for the temporary disposal of the improvements and possessions purchased from the Cherokee Indians and residents.

The several bills contained in the messages of yesterday and this day,

Were read the first time; and

The Senate then adjourned until 7 o'clock, P. M.

### 7 O'CLOCK, P. M.

The following bills of the House of Representatives were read the 2d time and ordered for a third reading:

A bill to authorize the establishment of a volunteer company in the county of Taliaferro, and for the equipment of the same.

A bill to incorporate the Insurance Bank of Columbus.

A bill to alter and amend the road laws of this State, so far as respects the county of Camden.

A bill to authorize the formation of a company for constructing a rail road or turnpike from the city of Augusta to Moulton, and thence westward to the Chattahoochee river, with branches thereto, and to punish those who may injure the same.

A bill to extend to the county of Bibb, all the benefits and privileges of the 16th section of an act entitled an act to amend the several acts regulating roads in this State, so far as respects the operation of said acts in the counties of Bryan, Liberty, McIntosh, Glynn, Camden and Wayne, passed 8th Dec. 1831.

A bill to remit a forfeiture incurred by Thomas H. White and William McCraven, of the county of Columbia.

A bill to authorize the building of a meeting house by the Baptist denomination, worshipping at a place known by the name of Double Branches, in the county of Lincoln, and to make permanent the location of the same on that spot of land heretofore set apart by one Jas. Ware of said county, & to secure the religious worship in said building to said denomination, so far as not to infringe on the rights of other religious denominations, who may hereafter wish to build a house of religious worship at said place, and to appoint commissioners for the same.

A bill to amend the road laws of McIntosh county.

A bill to amend the several acts incorporating the town and city of Darien.

A bill to legalize and make valid the official acts of James C. Martin, deputy clerk of the Inferior court and court of Ordinary of Gwinnett county.

A bill to regulate the future elections of members of Congress in this State.

And a bill to authorize an direct the superintendant of the public hands at Columbus to open and construct a road from Columbus to Franklin in Troup county; and also to work and improve the road from Columbus by the way of La Grange to the old McIntosh Reserve in Carroll county, and also the road from Greenville, in Merriwether county, to Newnan, in Coweta county.

The following bills of the House of Representatives were read the 2d time, and ordered for committees of the whole :

A bill to separate and divorce Elizabeth Myers and John Myers, her husband.

A bill to incorporate certain academies, and to appoint trustees for the same, and

A bill for the relief of John Bonner and Burwell Ingram of Hancock county, from the operation of the act passed the 20th Dec. 1828, concerning duelling.

The bill of the House of Representatives providing for the calling of a Convention to revise and amend the 3d, 4th, 7th and 8th sections of the Constitution of the State,†

On motion by Mr. Wofford,

Was made the order of the day for Thursday, the 22d inst.

The Senate adjourned until  $\frac{1}{2}$  past 9 o'clock, to-morrow morning

*THURSDAY, 22d. Dec. 1831.*

On motion by Mr. Wood,

To reconsider so much of the Journal of yesterday, as relates to the passage of the bill of the House of Representatives, to abolish Penitentiary imprisonment in this state, except in certain cases ; to change the mode of punishment for crimes and misdemeanors, and for other purposes,

The yeas and nays were required to be recorded, and the motion for reconsideration was decided in the affirmative.

The yeas are 34—the nays are 33.

Those in the affirmative are, messrs.

Allen	Groves	Ray
Avery	Hall	Sheffield
Bailey	Harlow	Singleton
Baker	Hines	Stapleton
Boykin	Loyall	St. George
Branham	Mealing	Tennille
Brown of Camden	Mercer	Waldhauer
Burch	Mitchell	Williams
Coxe	Muncrief	Wood
Daniell	Nisbet	Woolfolk
Devereux	Parrish	Wooten
Ector		

Those in the negative are, messrs.

Anderson	Echols of Coweta	Prior
Black	Echols of Walton	Spann
Blackstone	Everett	Stewart
Bowen	Faris	Surrency
Bryan	Fullwood	Swain
Cargille	Graham	Thomas of Appling
Clayton	Henly	Temples
Cleveland	Holloway	Ware
Cone	Johnson	Wells
Dean	McRae	White
Dunagan	Mobley	Wofford

Mr. Echols of Walton, moved the following :

“ That the name of William Hawthorn, be inserted on the list of Senators, as Senator elect from the county of Decatur.”



And on the question being put of agreeing to said motion, it was decided in the affirmative;

And the yeas and nays required to be recorded thereupon, and are Yeas 36—Nays 31.

Those in the affirmative are, messrs

Anderson	Ector	Singleton
Black	Everett	Smith
Blackstone	Faris	Spann
Bowen	Fullwood	Stewart
Bryan	Graham	Swain
Cargille	Groves	Temples
Clayton	Hall	Tennille
Cleveland	Henly	Ware
Dean	Johnson	Wells
Dunagan	Mobley	Wofford
Echols of Coweta	Parrish	Wood
Echols of Walton	Prior	Wooten

Those in the negative are, messrs.

Allen	Harlow	Ray
Avery	Hines	Sheffield
Bailey	Holloway	Stapleton
Baker	Loyall	St. George
Boykin	McRae	Surrency
Branham	Mealing	Thomas of Appling
Brown of Camden	Mercer	Waldhauer
Brown of Monroe	Mitchell	White
Coxe	Muncrief	Williams
Daniell	Nisbet	Woolfolk
Devereux		

Mr. Stapleton, chairman of the committee appointed to examine the engrossed Journals of the present session of the Senate, made a report, which was read and ordered to lie upon the table for the present,

Mr. Wooten, chairman of the committee on Finance, made a report upon the annual reports of the Treasurer and Comptroller General,

Which was read and ordered to lie upon the table for the present.

The Senate resolved itself into a committee of the whole, Mr. Harlow in the Chair, on the bill of the House of Representatives, providing for the calling of a Convention, to revise and amend the 3d, 4th, 7th and 8th sections of the Constitution of the state; and

having spent some time therein, the President resumed the chair, and

The bill was reported without amendment.

The Senate took up the report ; and

On motion by Mr. Swain,

That the report lie upon the table for the balance of the session,

The yeas and nays were required to be recorded, and are Yeas 39—Nays 31.

Those in the affirmative are, messrs.

Anderson	Faris	Spann
Black	Fullwood	St. George
Blackstone	Graham	Surrency
Bowen	Groves	Swain
Brown of Camden	Hall	Thomas of Appling
Bryan	Hawthorn	Temples
Burch	Henly	Tennille
Cargille	Johnson	Towus
Clayton	McRae	Ware
Cone	Mobley	Wells
Dean	Ray	Williams
Dunagan	Sheffield	Wofford
Everett	Smith	Wood

Those in the negative are, messrs.

Allen	Echols of Coweta	Muncrief
Avery	Echols of Walton	Nisbet
Bailey	Ector	Parrish
Baker	Harlow	Singleton
Boykin	Hines	Stapleton
Branham	Holloway	Stewart
Brown of Monroe	Loyall	Waldhauer
Cleveland	Mealing	White
Coxe	Mercer	Woolfolk
Daniell	Mitchell	Wooten
Devereux		

A communication was received from the Governor by Mr. Wellborn, his Secretary, informing the President, that the Governor had approved and signed a resolution from the Senate, appointing Thursday next, at 3 o'clock P. M. for the election by the General Assembly, of five Directors for the Bank of Darien, two for the Planters Bank, and four Directors for the Bank of the state of Georgia.

The following report of the committee on Public Education and Free Schools, laid on the table the 13th inst. was taken up, read and agreed to.

The committee on Public Education and Free Schools, have examined the several subjects referred to them, which consists of a portion of the Governor's communication—the annual report of the President and Trustees of Franklin College to the *Senatus Academicus*—the reports of each of the Senators of the state, and condition of the schools within his peculiar county, and a reference from the Representative branch of the Legislature. A detailed report on these several subjects would involve the committee in a prolixity incompatible with legislation. Some consideration is deemed necessary to each, and the more especially, as occasional notices of the condition of the literature of the state, as provided by law, may awaken an increased zeal in the community at large on the important subject of education.

In our country every man ought to prepare himself for taking a part in her public business. Should he never aspire to a seat in her state or national councils, he yet owes it as a duty to himself and his posterity, to let any talent he may possess appear at least in her primary assemblies. Yet for a want of a general diffusion of liberal education, almost the whole business of our Legislative Assemblies is abandoned to those whose pursuits make them talkers by profession, and who, in the habit of arguing with equal interest upon the wrong as upon the right side, lose the nice discrimination which ought to be the attribute of the statesman.

If this view of our duty be correct, and it is believed it cannot be controverted, the committee feel warranted in considering the subject of education, the noblest and most important that can engage the attention of the lawgiver; it lies, in truth, at the basis of the whole social system. It affects not only the individual happiness, the character and usefulness of those who are its objects, but it exerts a most powerful and irresistible influence upon the government, the laws, and the liberties of communities. No nation, when the majority of the people is well educated, can remain enslaved. No nation, when the great mass is ignorant, can retain its freedom. In proportion to the general intelligence will be the force, the wealth, and the influence of a state, and it will be respected in the exact ratio of the instructed talent it can bring into its negotiations.

The committee regret to say, that they have seen strong indications of a belief that more of learning than will suffice for the pursuits prescribed by parents and guardians, or than is absolutely demanded in the contemplated profession, is worse than useless. Divines have deprecated the use of mere human learning in their novitiates—Physicians sneered at by their fellows, because they

were Chemists and zoologists—Lawyers less patronized because they were scholars—Merchants who refused liberally educated men as clerks ; and parents who have prohibited the study of the ancient languages and mathematics to boys intended for the counting-house. The great cry in considering systems of education is, where is the good ? The ends are always mistaken for the means ; and it seems almost universally to be forgotten, that elementary education is far less intended to qualify for any specific pursuit ; than to give that developement of mental powers and energy, which may lead to usefulness in any, and lay the foundation of greatness in that for which the peculiar bent of the genius is calculated. Objections like these are too common to be disregarded, and can be removed only by a general diffusion of intelligence.

No one who has ever studied mathematics can fail to have remarked the improvement of those of his powers which are adapted to mercantile life. The whole subject of compound interest, the computation of chances on which every species of insurance is founded, the real principles of stock operations. The arbitration of exchanges may be treated mathematically, and in this way alone any valuable and practical result can be derived. The last of these is not yet an object of business in this country ; but the time is approaching, when in intelligent hands it will be the surest and safest mode of employing capital.

No one who has watched the manner in which duty is performed, by those who are in possession of mental resources to fill the hours of idleness, and by those who must for a want of other objects of interest apply their waste time to dissipation, would hesitate between an educated and an ignorant clerk. Who that has compared the close and pertinent reasoning of the well educated and learned Barrister would hesitate which to choose for his counsel ? Who that knows the powerful effects of Chemical affinities upon the substances employed as remedies, and the vast complexity of the humane machine, would intrust his life to the Physician who could not judge for himself of the chemical, physical and even mechanical principles on which the success of his practice depends ? What harm will he not do to the cause of religion, whose diction is barbarous and inelegant, whose taste is gross from a want of acquaintance with classic models, who will oppose his own interpretation of a text, or even that of his church, to the facts which the study of the great book of nature is every day bringing to the confirmation and support of revealed religion ?

Franklin College, the fondly cherished Institution, should continue to receive the fostering aid of the Legislature. Notwithstanding the many reverses which have visited the institution, it has now an organization which promises to fulfil most of the purposes of a solid and extensive education. The committee have

the most satisfactory assurances, the contributions and appropriations from time to time made by the Legislature, have been faithfully and profitably expended. The College edifice destroyed by fire is nearly rebuilt, a new library and mathematical and philosophical apparatus have been supplied to answer the exigencies of the institution. The committee notice with great gratification the zeal with which the patrons of the College afford a real, as well as an incidental patronage. The most sanguine friends of the College must have anticipated that the embarrassment occasioned by the destruction of one of the college edifices, would have deterred many young men from matriculating. Yet it is true that no year since the foundation of the institution has there been a greater number of scholars than at present. It is also an additional satisfaction that the committee are assured that with the progressive state of the repairs of the College edifice, all the professorships are now filled with able and efficient professors. The fastidious schoolman will now cease to find cause of derision, and the pride of the Georgian may escape mortification.

The committee would respectfully ask one other consideration of the legislature. The subjects which are now, and have hitherto been taught in Franklin College, though extensive and solid, are purely elementary. Intelligence cannot be conceived to exist, without the acquisition of a greater part of them. An education afforded by a College or University, should not stop at mere elements. Higher studies should be introduced to occupy the time that intervenes between youth and manhood, between the years when parental caution would exclude the Pupil from too close a contact with the world, and those in which a professional noviciate can be entered upon with advantage, or the society of men enjoyed. Among such studies stand pre-eminent Grecian Literature and the higher branches of Mathematics. The former opens the door to the most perfect Literature the world has ever known, to the finest models of style, and exquisite instances of taste.—The latter are boundless in their applications, and so much a matter of liberal knowledge, that an acquaintance with them may fairly be considered indispensable in every scheme of finished education.

In adverting to these higher studies, the committee do not intend to ask at present for the creation of suitable professorships for them. The spirit of improvement which so laudibly and enthusiastically actuate the community, will eventually discover their importance, and the single suggestion of their intimate connection with comprehensive intelligence, and the philosophy of motion, will insure such an investigation of their usefulness among the Guardians of the literature of the State, as to carry conviction to the mind of every one not predetermined to oppose it, that such professorships are essentially necessary for the more complete organization of the College.

The Committee beg leave respectfully to suggest the importance of a thorough acquaintance of the higher branches of Mathematics to the single subject of Internal Improvement; a subject in which we should all be concerned; we should feel an interest in the investigation of any and every scheme calculated to monopolize any of the advantages resulting from great undertakings, which may tend to diminish the proper proportions or their advantages. In the application of science to researches of this character, the advantages ultimately to be derived from machines, whether propelled by animal, by steam or any other power, on rail-ways, ordinary roads, canals or other water courses;—the subject for investigation, as in all other departments of science, as the accurate ascertainment of the relation which must always exist between an effect, and the cause producing it; in this enquiry must be ascertained the relation existing between the mass to be transported over a certain distance in a given time, and the cause producing that effect. Various circumstances may modify these results, and these circumstances no less than the general principles themselves, can be estimated with any accuracy and precision by mathematical science alone.

Your Committee are not unapprized of the great value arising from a fixed or permanent system of education in our State, where all orders and ranks of society may be equally entitled to a participation in this blessing.

It is believed by your Committee, the plan recommended by the board of Trustees is not one well calculated to enlist the good feelings of the people. That it is a plan very invidious in its policy, can't be denied, and wholly violative of the great principles of equality. Therefore, in every appearance well calculated to sow seeds of strife and contention in every part of our State. It is, nevertheless the fact, the State has heretofore made liberal endowments for the education of indigent youth of our State, by patronizing schools of almost every description, in every section of the State. It is confidently believed by your Committee that novelty is that kind of attraction which too often supersedes merit. And it would be more congenial to the spirit of our institutions to keep down monopolies of every description, by studiously endeavoring to avoid creating undue as well as unnecessary distinctions among our fellow-citizens.

Your committee have no hesitancy in believing the plan recommended by the board of Trustees, is well calculated to impair the confidence of public opinion in our county Academies and schools predicated on the poor school plan. Your committee furthermore believe that the public funds of the State, which is undeniably the property of all, should not be taken and appropriated exclusively to such an extravagant extent, to the benefit of any one institution, located in any section of our community to the disparagement of other institutions equally meritorious.

Your Committee have no hesitancy in giving it as their opinion, that well regulated Academics, accompanied with the present advantages of the poor school plan is one, if persevered in, will redound in incalculable advantages to society at large.

Therefore, your Committee most respectfully recommend the following resolutions:

*Resolved*, That the sum recommended to be set apart as an annual permanent endowment for the education of one poor boy from each county in this State, be with-held, and if any further appropriations be necessary to extend the principles of education to the poorer classes of our fellow-citizens, that it be based on the principles of equality, and not those of mere selection or distinction.

A Tabular statement, hereto annexed will exhibit the amount of dividends yielded by the Academic and poor school funds; the proportions in which they have been distributed, the extent to which each county has been endowed, and the number of beneficiaries, so far as could be ascertained by the returns from each county. The view here exhibited, although imperfect, will enable the enquirer to calculate prospectively the reliance which his county has upon the munificence of the State for time to come.

The Committee are persuaded that no difference of opinion can exist as to the importance of the primary schools in the State, and a strict accountability in the disbursement of the poor school fund. A uniform method of conducting, managing and instructing, cannot fail to give increased usefulness and permanency to the primary schools, and ensure that accountability, which they consider vitally important to sustain and extend the munificent intentions of the Legislature.

They recommend the adoption of the resolutions hereto annexed.

*Resolved*, That his Excellency the Governor, be, and he is hereby authorized to appoint three suitable persons to form a system of academic and poor school instruction as nearly uniform as practicable throughout the State, and report to the next meeting of the Legislature, for their adoption or rejection, as to them may seem proper.

*Resolved*, that his Excellency the Governor, be, and he is hereby authorized to appoint a suitable person to complete, and have published in pamphlet form, all the laws and resolutions now in force in this State, on the subject of public education and free schools, the number of pamphlets to be sufficient to furnish each member of the present Legislature one, one for the Inferior Court, and one for each Justice of the Peace in each county.

The reference from the Representative branch of the Legislature, requesting and enquiring into the expediency of establishing a State Library at the seat of Government, has been under the consideration of the Committee. The convenience, benefit and usefulness of an extensive and well selected library at the seat of Government seem too obvious to admit of doubt.—The want of one, a reproach which should no longer exist. Profitable, useful and efficient legislation can only obtain where the law makers are intimately acquainted with the operation of the laws, and the objects to be attained by them. The first is the result of experience, the latter by a careful examination of the enactments of cotemporaries and predecessors, the last can be acquired alone by the legends of memory or the records of history. The morality of men changes as circumstances and occasions vary.

Wise and successful legislation must not only be controlled by these circumstances, but also by an intimate acquaintance with all the principles involved in these circumstances. In a government like ours, dependent for its permanency and freedom on the moral sentiment of the governed, it does seem to be a position self-evident, that the Legislators and the Governors should always be in the possession of the means which can carry into operation most beneficially, those principles of human action which foster and protect the common weal. This object can be materially advanced by a well selected library; which would not only afford facility and fitness in legislation, and the Executive part of the Government, but likewise a beneficial amusement to the Legislators and other officers of the government. It is believed that Georgia is the only one of the original confederacy, and the only one but three, of the twenty-four states, which does not profit by the benefits and facilities of a State Library, or an institution of equivalent advantages.

The Committee report a bill to establish a State Library.

The following reports on Banks were taken up, severally read and agreed to:

The joint committee on Banks, to whom was referred the annual statement of the condition of the Central Bank, respectfully report,

That they have thoroughly investigated the affairs of that institution, the result of which has been entirely satisfactory; the evidences of debt to the Bank—the bills of other Banks owned by the Central Bank—the bills of that Bank and the amount of specie in its vault, were all found to correspond with the report referred to your committee.

The issues of the Bank have been within the established limits, the discounts have been properly distributed to the several counties



of the state, and the sums allowed to individuals have not exceeded the amounts authorised by law. The ability, intelligence, industry and zeal of the directors and officers of the Bank, have been every where manifested in their several departments, and in the discharge of their various arduous and responsible and frequently delicate duties. Whatever may be the difference of opinion prevailing as to the policy of such an institution, all who will make themselves acquainted with the manner in which the complicated and diversified duties that by law have devolved upon the Central Bank, have been discharged, must accord to those who have directed its affairs, an entire approbation.

Whilst the Central Bank shall be conducted in the same spirit, and managed with the same ability that have characterized its present administration, the public, for whose use it has been established, must feel that much will be done in the collection of the public revenues and the maintenance of a sound currency, at the same time that a large addition will be made to the annual income of the State.

The notes of the Central Bank in circulation, amount to one hundred and eleven thousand nine hundred and ninety-six dollars, to meet these, there has been provided a fund consisting of \$80,656 in specie, fifty thousand eight hundred and five dollars in bills of the United States Bank and Branches, one hundred and eight thousand six hundred and fifty-three dollars in the notes of the State Banks.

It is respectfully represented by your committee, that the salary of the Cashier is wholly inadequate to his services, duties and responsibilities. There is no economy more efficient and judicious than that which declares the laborer worthy of his hire, and which gives a full reward, that a full service may be exacted.

A resolution is subjoined authorising an increase of the pay of this officer.

There is in possession of the Central Bank a number of notes given by individuals for the purchase of fractions at various periods whose places of residence are unknown, if some efficient measure be not adopted, these notes cannot be collected. It has been thought that if they were authorised to be placed in the hands. If some proper agent who should be allowed a liberal per centum for searching out the principals and securities, and collecting the amounts due, that something might yet be collected which otherwise must be lost to the state. A resolution giving that power to the directors of the Central Bank is herewith submitted.

There are in possession of the Central Bank mutilated bills of its own, amounting to five thousand dollars, which your committee recommend be burnt—for that purpose, a resolution is herewith submitted.]

*Resolved*, that the salary of the Cashier of the Central Bank be raised to two thousand dollars.

*Resolved*, that the directors of the Central Bank, be authorised to place in the hands of a competent agent for collection, such notes as they may have, whose drawers and securities, or whose places of residence are unknown; and that such per cent be allowed upon all monies that may be collected from such persons, as to the said directors may appear proper.

*Resolved*, that the mutilated notes of the Central Bank now in its possession, be burnt in the presence of the committee on Banks, or its sub-committee.

The committee on Banks has the honor to report that on an examination of the annual report of the President of the Marine and Fire Insurance Company, it appears that the affairs of that institution have been managed judiciously, and with a due regard to the interest of the stockholders; the amount of specie, and funds which may be converted into specie, are ample, and would meet any demand which could be made upon the Bank. The committee is satisfied with the state of the institution, and believe it fully entitled to the confidence of the public.

The committee on Banks, to whom was referred the annual statement of the Bank of Augusta, beg leave to report,

That on a careful and minute examination of the exhibits, they find such evidence of the ability with which the affairs of the Bank, have been conducted, and of its sound and stable condition, that, notwithstanding the great depreciation in the real estate belonging to that institution, of about twenty-nine thousand dollars, and in doubtful and bad debts, to the amount of twenty-four thousand; yet your committee are of opinion, that this Bank is in a prosperous and flourishing condition, and with that ability and fidelity with which its affairs have been managed, merits the approbation of your committee, and as such is entitled to the entire confidence of the Legislature, and of the people of Georgia.

The committee on Banks, to whom was referred the annual statement and condition of the Planters Bank of the State of Georgia, respectfully report,

That after a mature and careful examination into the fiscal concerns of said Bank, your committee are fully of opinion, that the condition of said institution and the management thereof, as to its pecuniary concerns, is highly satisfactory to your committee, and deserves the confidence of the Legislature, and the public at large.

The committee on Banks, to whom was referred the report of the Bank of Columbus, beg leave to report,

That after a due examination of the condition of said Bank, they find nothing in the management of the affairs of said institution, which does not warrant your committee in saying that the institution has been well conducted, and is in a sound condition, and is entitled to the fullest confidence of the Legislature, and of the people of Georgia.

The committee on Banks, to whom was referred the annual exhibit of the condition of the Merchant's and Planter's Bank of Augusta, respectfully report,

That after such an examination into the condition furnished by said Bank, your committee are of the opinion that the affairs of that institution, as to its pecuniary concerns, is entirely sound, and merits the confidence and patronage of the Legislature, and the public generally.

The joint committee on Banks, to whom was referred an extract of the minutes of the Central Bank of Georgia, in relation to the claim of Seaborn Jones, beg leave respectfully to report,

That they have had the same under consideration, and from all the information, that they have been enabled to collect upon the subject, they cannot but believe, that the course pursued by the officers of the Central Bank, with regard to this subject, is perfectly correct.

Your committee, from information, find that Col. Seaborn Jones, received the appointment of the States' Agent, to settle a contract entered into between the State and Col. Bedney Franklin, relative to the collection of certain debts then due the state, and that Col. Jones received the sum of \$44493 75 3-4 cents, and paid into the Treasury \$42,452 51 cents, retaining as his fee \$2,041 24 3-4 cts. which your committee believe to be ample compensation for the services rendered, and therefore believe the claim of Col. Jones to be unreasonable, and ought not to be granted.

The joint committee on Banks, giving the utmost credit to those who manage the Macon Bank, and placing the most liberal construction on their annual statements, feel authorised to say, the institution is able to redeem all the bills it has in circulation, and its issues in bills do not exceed the amount, which strict Banking principles allow.

The following report of the Bank committee, on the condition of the Darien Bank, to wit :

"That the statement of the Darien Bank, compared with previous annual statements, shows a steady and progressive improvement in its condition.

Its means as exhibited appears sufficient to meet all ordinary exigencies. The committee, however, believe it will yet require

many years, under the most judicious management, to enable it to do a business commensurate with its capital stock. And considering the present limited business of the Darien Bank, it is suggested to the Directors to lessen its expenditures, by diminishing the number of its officers, and at all events, it would be exceedingly indiscreet to create new ones.

It will be seen by the accompanying documents from the Executive, that the prices demanded by those of the stockholders of the Bank of Darien, who have made offers of the sale of their Stock to the state, are altogether unreasonable.

The present condition of the Bank of Darien, together with its small dividends, forbid the propriety of purchasing the stock except at a large discount—stockholders must think the state more than indifferent to its true interest, if it accept offers so far above the market price of the stock.”

Which being read,

Mr. Wood proposed the following substitute, in lieu of said report, to wit :

“That the statement of the Bank of Darien, shows a sound and healthy condition, it has re-assumed semi-annual dividends, which have lately brought into the coffers of the state the sum of \$21,125.

The steady course which it has pursued for some years past, has had a tendency to redeem its former character, and place it among the cherished institutions of the state ; more especially as it now possesses the confidence of the public, and shares its patronage.”

Which was read and agreed to.

The joint committee, to whom was referred the annual statement of the condition of the Bank of the State of Georgia, of the Darien Bank, of the Savings Bank of Augusta, and of the Augusta Insurance and Banking Company, report

That the statement of the Bank of the State of Georgia, as exhibited by the accompanying account current, shows the said Bank and its Branches to be in a sound condition, and that they deserve a continuance of that full confidence hitherto placed in them by the public.

The report of the Augusta Savings Bank, from the commencement of its business to the present time, gives a detailed statement of its operations.

This differs from ordinary Banks; its object is essentially charitable and with its benevolence, it affords to the improvident, practical lessons on economy; it holds out no invitation to the capitalist or office hunter. The management of this institution reflects honor upon its Philanthropic Directors. And in confirmation of the disinterestedness with which it has been managed, it is shown that its expences from the commencement of its operations to the present time, nearly three years, amount to only twenty-two dollars and seventy-four cents.

That the statement of the Augusta Insurance and Banking Company, exhibits available means "on brief notice" adequate to all current demands. The promptitude with which it settled late uncommon losses, entitle it to the highest praise.

As the Augusta Insurance and Banking Company, under the privileges of its Charter, both issues bills and insures on property, the committee would have been better satisfied, if its statement had been accompanied with the amount of its risks on Insurances; for in addition to its Bank liabilities, it is equally bound to meet losses on insurances.

The report of the joint Military committee made to the Senate on the 6th inst. and again read and laid upon the table, on the 19th inst.

Was ordered to lie upon the table, till called up.

The report of the joint committee on Privileges and Elections, upon the resolutions of the Senate, calling for information, &c. made on the 16th inst. and laid upon the table,

Was again ordered to lie upon the table till called up.

The report of the select committee upon the petition of John Bethune, Surveyor General, relative to the employment of an additional clerk in his department,

Was read and disagreed to.

The resolution of Mr. Bailey, laid upon the table the 16th of November, relative to Volunteer Companies being furnished with arms, &c.

Was ordered to lie upon the table the balance of the session.

The report of the committee on Petitions, upon the petition of A. Harnage,

Was ordered to lie upon the table till called up.

And the report of said committee, on the petition of sundry citizens of Walton county, relative to the repeal of the law licensing Physicians, &c.

Was ordered again to lie upon the table till called up.

The resolution in favor of Thomas Smith, laid on the table the 20th inst.

Was ordered to lie upon the table the balance of the session.

Mr. Burch submitted the following resolution :

Whereas, lot No. 256 in the 13th district of Houston county, was drawn by Lucy Hayne, (widow) of Hayne's district, Elbert county, and was granted to said Hayne on the 26th March, 1822, and was also drawn for Moses Smith, Thornton's district, Oglethorpe county;

*Be it therefore resolved*, that the said Moses Smith is authorised to give in his name for a draw in the present contemplated Lottery.

Which was read, and ordered to lie upon the table till called up.

The bill to provide for the improvement of the militia system of the state of Georgia, was ordered to lie upon the table till called up.

The Senate took up and concurred in the report of the committee of the House of Representatives, awarding compensation to the Census takers of 1831.

The following report of the committee of Finance, was read and ordered to lie upon the table till called up :

The committee on Finance, to whom was referred the resolution, instructing it to report to this branch of the Legislature, the probable disbursements of the present political year, together with the probable permanent ways and means of the state to meet said disbursements ;

Report, that they have carefully availed themselves of all the means of information which could assist in making the probable estimate of expenditure and income of the state, in compliance with the requisitions of the resolution.

The data, chiefly, upon which such estimates can be founded, are the income and disbursements of preceding years. It is, therefore, evident, that submitted as comparative data, they are not offered as rigorously exact.

The different items of expenditure and income, are presented to the Senate as approximations to truth, and the committee believe them sufficiently exact to guide it in reference to the expences and resources of the state for the present political year.

To make the report the more satisfactory, the committee offer the subjoined statement :

*1st. Of Expenditures,*

Pay of Legislation	200,000
Civil Establishment	83,800
Military Fund	2,000
Poor School Fund	25,000
Academy	20,000
For Roads and Rivers	25,000
Printing Fund	12,000
Taking Census	11,100
Contingent Fund	20,000
University appropriation	6,000
To make up deficit in State Bank dividend	1,000
Protection of Gold Mines	20,000
Public Debt	200
For Penitentiary	10,000
	<hr/>
	\$247,100

*2d, Of Receipts.*

Tax on Bank Stock	\$8,300
Vendue Tax	3,000
State Tax	45,000
Dividend on Bank Stock	65,650
"    "    Central Bank 1831	33,000
"    "    "    "    1832	59,000
Interest on old State debts	5,000
Fees on Grants	20,000
Sale of fraudulent lots of Land	3,000
Cash balance in the Treasury	86,261

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\$319,211

Leaving an excess of seventy-two thousand one hundred and eleven dollars income over the annual expenditure.

The tax on Bank Stock is put down less than what has been paid into the Treasury the past year, because the committee believe Bank Stock entitled under the law of 1830, to a reduction of 25 per cent.

By the several revivals from 1817 to 1830, the act of 1817 is revived for the political year 1831. The tax then levied upon the capital stock of Banks, is the same raised by the act of 1817, and the revival of the act of 1817, by the act of 1830, adopts for the year 1831 the same tax required by the act of 1817. The tax upon Bank Stock due the State for 1831, is therefore a tax levied by the act of 1830, and in the sixth section of this act, it is enacted, "that the taxes to be levied by this act shall be reduced at and after the rate of 25 per cent."

The tax upon Bank Stock is therefore subject to this reduction.

Mr. Brown of Camden, chairman, reported as duly Enrolled, and signed by the Speaker of the House of Representatives, the following acts :

An act giving the Intendant and Members of Council of the town of St. Marys, authority to act as Justices of the Peace, in certain cases.

An act to incorporate a Banking Company under the name of the Commercial Bank at Macon.

An act to alter and amend an act to impose an additional tax on Peddlers and other Itinerant traders, passed 9th Dec. 1824, and to punish such traders, for illegal trading with slaves.

An act to make permanent the public site in the county of Irwin, and appoint commissioners for the same.

An act to authorize the Judge of the Superior courts of the Southern circuit, to hold an extra term of said court in the county of Decatur; and

An act to alter and amend "an act to authorise the survey and disposition of the lands within the limits of Georgia, in the occupancy of the Cherokee tribe of Indians, and all other unlocated lands within the limits of said state claimed as Creek land, and to authorize the Governor to call out a military force to protect Survey-

ors in the discharge of their duties, and to provide for the punishment of persons who may prevent or attempt to prevent any Surveyor from performing his duties as pointed out by this act; or who shall wilfully cut down and deface any marked trees, or remove any land marks which may be made in pursuance of this act; and to protect the Indians in the peaceable possession of their improvements, and of the lots on which they may be situated, and to order the immediate survey, distribution and occupancy of the territory aforesaid.

Ordered, that the committee carry said acts to his Excellency the Governor, for his assent.

The following bills of the House of Representatives, were read the third time and passed :

A bill to repeal the 1st section of an act entitled an act to make Constables elective by the people, and the mode of taking their bonds, and to point out their duty in certain cases, so far as the said act regulates the mode of electing constables in the county of Chatham.

A bill to alter and amend an act passed the 23d Dec. 1830, prescribing the manner of holding elections in the several election districts, in the several counties of this State, and to punish those who may defeat or violate the election laws of force in this State, so far as respects the county of Liberty.

A bill to authorize Robert Ligon to erect a toll bridge across Chestatee river, and to regulate the rates of toll for the same.

A bill to alter and change the names of certain persons.

A bill to amend the several acts regulating the court of common pleas, for the city of Augusta.

A bill amendatory of the 15th, 22d and 24th sections of an act passed on the 19th day of December, 1818, entitled an act to revise and consolidate the militia laws of this State, and to repeal the Cavalry laws now in force.

The bill to amend an act entitled an act to amend and consolidate the several acts which have been passed in relation to the powers and privileges of the corporation of the city of Savannah, and the hamlets thereof, and for other purposes herein mentioned, passed 24th December, 1825, and for other purposes herein mentioned.

A bill to authorize the establishment of a volunteer company in the county of Taliaferro, and for the equipment of the same.

And a bill to authorize an direct the superintendant of the public hands at Columbus to open and construct a road from Columbus to Franklin in Troup county; and also to work and improve the road from Columbus by the way of La Grange to the old McIntosh Reserve in Carroll county, and also the road from Greenville, in Merriwether county, to Newnan, in Coweta county.

A bill to remit a forfeiture incurred by Thomas H. White and William McCraven, of the county of Columbia.

A bill to authorize James G. Salisbury, to establish a ferry across the Chattahoochee river in Randolph county.

A bill to authorize the citizens of Mallorysville and its vicinity, to raise a volunteer rifle company, to be known by the name and style of the Mallorysville Rifle Company, and to extend thereto



A bill to incorporate a Volunteer Patrol Association in the county of McIntosh, under the name and style of the Corps of vigilance.

A bill to legalize and make valid the official acts of James C Martin, deputy clerk of the Inferior court and court of Ordinary of Gwinnett county.

A bill to extend to the county of Bibb, all the benefits and privileges of the 16th section of an act entitled an act to amend the several acts regulating roads in this State, so far as respects the operation of said acts in the counties of Bryan, Liberty, McIntosh, and Wayne, passed 8th Dec. 1831.

A bill to amend the road laws of McIntosh county.

A bill to amend the several acts incorporating the town and city of Darien.

A bill to regulate the future elections of members of Congress in this State; and

A bill to alter and amend the road laws of this State, so far as respects the county of Camden.

The bill of the House of Representatives, to authorise the Justices of the Inferior court of Wilkes county, or a majority of them, to hire or purchase negroes, for the improvement of roads and Bridges in said county; also to authorise said court to levy an extra tax for the purpose of carrying the same into effect,

Was read the third time, amended and passed.

The bill of the House of Representatives, to incorporate the Insurance Bank of Columbus, was read the third time, and on the passage thereof,

The yeas and nays were required, and it was determined in the affirmative.

The Yeas are 36—the Nays are 21.

Those in the affirmative are, messrs.

Bailey	Dean	Johnson
Black	Echols of Coweta	Loyall
Blackstone	Echols of Walton	Mealing
Bowen	Ector	Smith
Brown of Monroe	Faris	Stewart
Bryan	Fullwood	Temples
Burch	Graham	Tennille
Cargille	Groves	Towns
Clayton	Hall	Ware
Cleveland	Hawthorn	White
Cone	Henly	Wood
Daniell	Holloway	Woolfolk

Those in the negative are, messrs.

Allen	Coxe	Sheffield
Anderson	Dunagan	Stapleton
Avery	Harlow	St. George
Baker	Mercer	Surreney
Boykin	Mitchell	Thomas of Appling
Branham	Munierief	Waldhauer
Brown of Camden	Nisbet	Williams

The bill of the House of Representatives to authorise the payment of certain monies to the Trustees of Laurens county Academy, and certain other monies to the Inferior court of Laurens county, or to the Trustees of the Poor School Fund of said county, was read the third time, amended and passed, under the title of

A bill to authorise the payment of certain monies to the Trustees of Laurens county Academy, and certain other monies to the Inferior court of Laurens county, or to the Trustees of the Poor School fund of said county ; and to transfer the funds of Union Academy of Putnam county, to the management of certain persons herein named.

The bill of the House of Representatives, to add a part of Oglethorpe county to the county of Madison, was read the third time, and on its passage,

The yeas and nays were required to be recorded, and it was determined in the affirmative.

The yeas are 33—the nays are 30.

Those in the affirmative are, messrs.

Allen	Ector	Smith
Anderson	Everett	Spann
Black	Fullwood	Stewart
Blackstone	Groves	Swain
Bowen	Hall	Temples
Cargille	Hawthorn	Tennille
Clayton	Henly	Ware
Dean	Johnson	Wells
Dunagan	Mercer	Wofford
Echols of Coweta	Mobley	Wood
Echols of Walton	Parrish	Woolfolk

Those in the negative are, messrs

Avery	Branham	Bryan
Bailey	Brown of Camden	Coxe
Baker	Brown of Monroe	Daniel

Devereux	Mealing	Surreney
Faris	Mitchell	Thomas of Appling
Harlow	Muncrief	Towns
Hines	Nisbet	Waldhauer
Holloway	Sheffield	White
Loyall	Stapleton	Williams
McRae	St. George	Wooten

The bill of the House of Representatives, to authorize the building of a meeting house by the Baptist denomination worshipping at a place known by the name of Double Branches, in the county of Lincoln, and to make permanent the location of the same, on that spot of land heretofore set apart by one James Ware, of said county, and to secure the religious worship in said building to said denomination, so far as not to infringe on the rights of other religious denominations, who may hereafter wish to build a house of religious worship at said place, and to appoint commissioners for the same ;

Was read the third time, amended and passed, under the title of

A bill to authorize the building of a meeting house by the Baptist denomination worshipping at a place known by the name of Double Branches in the county of Lincoln, and to make permanent the location of the same on that spot of land heretofore set apart by one James Ware, of said county, and to secure the religious worship in said building to said denomination, so far as not to infringe on the rights of other religious denominations, who may hereafter wish to build a house of religious worship at said place, and to appoint commissioners for the same ;—also

To incorporate the Presbyterian Church of Newnan, Coweta county, under the name and style of “the Trustees of the Presbyterian Church of the town of Newnan ;”—also

To incorporate the Methodist Episcopal Church, of Newnan, Coweta county, under the name and style of “the Trustees of Newnan Methodist Episcopal Church ;”—also

To appoint Trustees for the Baptist Church in the town of Cuthbert, Randolph county, with certain powers.

The Senate adjourned until 3 o'clock P. M.

**THURSDAY, 3 O'CLOCK, P. M.**

The bill of the House of Representatives, to amend an act to charter the Augusta Insurance Banking Company, passed the 25th Dec. 1827,

Was read the third time and passed.

And the bill of the House, to encourage the Volunteer Troup of Cavalry, composing the squadron of the 1st military division of this State,

Was read the second time, and ordered for a committee of the whole.

On motion by Mr. Ector,

*Resolved*, that the Senators and Representatives of the General Assembly, shall each receive a copy of the Laws and Journals of the present session, and that copies be delivered them accordingly, by the proper officers of their respective counties.

The following message was received from the House of Representatives, by Mr. Dawson, their Clerk:

The House of Representatives have agreed to a resolution requiring Thomas J. Johnson, to turn over to the Colonel of the Regiment of Thomas county, certain arms and amunition in his possession, for the use of any Volunteer Company, that may be formed in Thomas county.

To a report and resolution from the committee on the petition of William Scott and Robert Birdsong.

To a report and resolution from the committee to which was referred the petition of Mrs. Eliza McKay.

To a report and resolution from the joint Judiciary committee, to whom was referred the Governor's communication upon the subject of the Banks, claiming a reduction of 25 per cent in their settlement with the Treasury, &c. ; and

To the report of the joint Military committee, to whom was referred the several communications from the present Executive.

They have passed a bill to incorporate the Trustees of the Masonic Hall, in the town of Milledgeville.

They have passed the bill of Senate, to be entitled an act prescribing the manner of taking testimony in cases when any member returned, elected a Senator or Representative of this State.

And the bill of Senate, to incorporate a Banking company in the town of Hawkinsville.

They have agreed to a resolution to entitle Gaddial Fambrough of Clark county, to give in for two draws in the ensuing land lot-tery.

To a resolution requesting the Governor to purchase and forward with the Laws and Journals of the present session, to the county of Walton, eight copies of the late edition of the Georgia Justice, by Lamar, and six copies of Prince's Digest, to be distributed among the Justices of the Peace, who may be destitute of said copies.

To a report and resolution allowing Hutchins and Holt, the sum of two hundred dollars, for legal services in the conviction of certain offenders, &c.

To a report and resolution from the joint committee on the State of the Republic, to whom was referred that part of the Governor's communication and accompanying documents, which relate to the removal of the Cherokee tribe of Indians.

And I am directed to inform the Senate, that the House are now ready to receive them in their chamber, to proceed to certain elections set apart for this afternoon.

Whereupon,

The President and Members of the Senate repaired to the Representative Branch ; and both bodies of the General Assembly, proceeded by joint ballot to the election of five Directors of the Bank of Darien, on the part of the State ;

And the votes having been received and counted out, it appeared that James Troup, Wm. Fraser, Benjamin Greene, James Dunwoody and James Holmes, were duly elected.

They then proceeded in like manner, to the election of two directors on the part of the State, for the Planter's Bank ; and on counting out the votes, it appeared that Elias Fort and John H. Morel, Esquires, were duly elected

And they then proceeded in like manner, to the election of four Directors on the part of the State, for the Bank of the State of Georgia ; and on counting out the votes, it appeared that Wm. B. Bulloch, Mordacai Myers, George Schley and John B. Gaudry, were duly elected.

The President and Members returned to their chamber, and adjourned until 7 o'clock P. M.

## THURSDAY, 7 O'CLOCK P. M.

The following bills of the House of Representatives were severally read the second time, and ordered for a third reading, viz :

A bill for the relief of John Burgess, of Franklin county.

A bill to authorise a lottery for the purpose of raising within a certain time the sum of two thousand dollars, to be appropriated to the building of a bridge in the county of Hall, &c.

A bill to authorise certain commissioners therein named, to raise the sum of 1500 dollars by lottery, for the purpose of building an Academy in the town of Fort Gaines.

A bill to authorise the Justices of the Inferior court of Baldwin county, to remit a forfeiture incurred by Robert Reynolds.

A bill to authorise the planters and inhabitants of Skidaway Island in the county of Chatham, to erect a bridge across Skedaway narrows, under certain restrictions herein contained.

A bill to authorize the Inferior court of Hancock county, to improve the public roads of said county.

A bill to authorize the erection of a Lazaretto at the city of Savannah.

A bill to incorporate the Baptist Church of Holly Spring, and Rocky creek in the county of Laurens, and the Baptist Church at Mount Zion, in Hancock county, and to appoint Trustees for the said Churches.

A bill to amend the several acts passed in relation to the powers and privileges of the corporation of the town of Athens.

A bill to remove the undisbursed funds of the Smithville Academy in Early county, to the town of Fort Gaines in said county.

A bill to declare and make certain the law defining the liability of securities and endorsers of promissory notes and other instruments.

A bill to alter and amend an act to incorporate the town of Monroec in the county of Walton ; and

A bill amendatory of and supplemental to "an act to lay off, define and keep open the main channel of Savannah river, from Augusta to the mouth of Lightwood Lag Creek, in Elbert county, so as to prevent the obstructions of the navigation, and the free passage of fish therein, and to punish those who may obstruct the same, and to appoint commissioners to carry the provisions of this act into effect, and to point out the mode of their compensation, passed 22d Dec. 1829, and also the act passed 23d Dec. 1830, to amend the said recited act.

The following bills of the House of Representatives, were severally read the second time, and ordered for committees of the whole, to wit :

A bill to impose, levy and collect a tax, for the political year 1832, on real and personal property, and to inflict penalties for neglecting or failing to comply with the same.

A bill to authorise John Shelly to practice medicine in this state.

A bill for the relief of James Hinson of Rabun county.

A bill for the relief of William R. Russell of Upson county, and for other purposes.

A bill granting mill-race privileges to certain persons therein mentioned ; and

A bill to appropriate moneys for the support of Government, for the political year 1832 ; and

A bill to alter and amend an act to define the liability of securities on appeals on stay of Execution, and for the protection of bail on recognizance, bond, note or other contract, passed 20th day of December, 1826.

The bills contained in the messages of the House of Representatives of this day,

Were read the first time.

The Senate adjourned until half past 9 o'clock, to-morrow morning.

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**FRIDAY, Dec. 28, 1831.**

On motion by Mr. Coxe,

That the Senate do reconsider so much of its Journal of yesterday as relates to the the passage of the bill of the House of Representatives, to add a part of the county of Oglethorpe to the county of Madison ; the same was decided in the negative.

The Senate took up the reports and resolutions contained in the messages of the House of Representatives, and

The report of the committee upon the petition of Mrs. Eliza Mackay, having been read,

On motion by mr. Daniell, that the Senate do concur with the House of Representatives in said report, it was decided in the affirmative ; and

The yeas and nays required to be recorded thereupon, which  
Are yeas 40—nays 25.

Those in the affirmative are, messrs.

Allen	Harlow	Ray
Avery	Hawthorn	Sheffield
Bailey	Henly	Singleton
Baker	Hines	Smith
Black	Holloway	Stapleton
Boykin	Johnson	St. George
Branham	Loyall	Surrency
Brown of Monroe	McRae	Thomas of Appling
Gargille	Mealing	Towns
Cleveland	Mitchell	Waldhauer
Daniell	Mobley	White
Ector	Muncief	Williams
Graham	Nisbet	Woolfolk
Groves		

Those in the negative are, messrs.

Anderson	Echols of Walton	Stewart
Blackstone	Everett	Swain
Bowen	Faris	Temples
Burch	Fullwood	Ware
Cona	Hall	Wells
Coxe	Mercer	Wofford
Devereux	Parrish	Wood
Dunagan	Spann	Wooten
Echols of Coweta		

The resolution of the House of Representatives, requesting the Governor to purchase and forward with the laws and journals of the present session, to the county of Walton, 8 copies of the late edition of the Georgia Justice, by Lamar, and 6 copies of Prince's Digest, &c.

Was read and concurred in.

The resolution of the House of Representatives, directing the public arms, &c. left in the possession of Thomas J. Johnson of Thomas county, to be turned over to the Colonel commanding the regiment of said county, for the use of any volunteer corps, &c.

Was read and concurred in.

The report from the House of Representatives, of the joint Judiciary committee upon the subject of the Banks claiming a reduction of 25 per cent in their settlement with the Treasury, as referred to said committee from the Governor's communication,

Was read and concurred in.



The report from the House of Representatives, of the joint military committee, was ordered to lie upon the table till called up.

The report from the House of Representatives of the joint committee on the State of the Republic, upon the removal of the Cherokee Indians west of the Mississippi river.

Was read and concurred in.

The report from the House of Representatives, upon the claim of Hutchins & Holt, Attornies at Law, for professional services rendered to the State,

Was read and concurred in.

The resolution from the House of Representatives, authorizing the Governor to furnish stationary &c. for the use of the members of the General Assembly,

Was read and concurred in.

The resolution of the House of Representatives, appointing Jesse Harris of Dooly county, a commissioner of the public lands below the old Federal road, in the place of Thomas E. Ware, removed,

Was read and concurred in.

The report from the House of Representatives, upon the petition of Mrs. Martha Leverett of Lincoln county, as the widow of Robert Leverett, dec. praying the Legislature for compensation, as dues for bounty warrants for land owned by her deceased husband,

Was read and disagreed to; and

Mr. Anderson moved that the Secretary be directed to spread on the Journal of the Senate, an exact copy of one of the warrants, upon which said petition was founded.

The following is the copy :

“ To Joseph Pannill, Surveyor for the county of Washington—

You are hereby authorized and required to measure and lay out, or cause to be admeasured and laid out, one Acre—Leverett, a tract of land which shall contain two hundred and eighty-seven and half acres, in the said county of Washington, taking especial care that the same has not heretofore been laid out, to any other person or persons : and you are also hereby directed and required to record the Plat of the same in your office, and transmit a copy thereof, together with this warrant, to the Surveyor General, within the term of three months from this date.

Given under my hand, this seventeenth day of May, 1784,

JOHN HABERSHAM,  
*Presid't. E. C.*

SECRETARY'S OFFICE,  
Certified by D. REES,  
*Deputy Secretary.*

The report from the House of Representatives, upon the removal of Benjamin H. Sturges, one of the sectional Surveyors appointed to run up the Cherokee territory into sections and districts,  
Was read and ordered to lie upon the table until called up.

The report of the House of Representatives, upon the memorial of Pierson Petit,  
Was read and ordered lie upon the table until to-morrow morning.

The resolution of the House of Representatives, in favour of Gaddial Fambrough of Clark county,  
Was read and ordered to lie upon the table till called up.

The report of the committee of the House of Representative, on the petition of Richard L. Simms, late Solicitor General of the Flint circuit,  
Was read and concurred in.

The resolution of the House of Representatives in favour of William Williamson,  
Was read and concurred in.

The report from the House of Representatives, of the joint committee on Finance, in favor of Geo. W. Moore of Clark county,  
Was read and concurred in.

The report from the House of Representatives, of the committee upon the petition of Joseph W. Jackson, Esq. Solicitor General of the Eastern district,  
Was read and concurred in.

The report from the House of Representatives, upon the petition of Scott & Birdsong,  
Was read and ordered to lie upon the table for the present.

The resolution of the House of Representatives, in favour of Anson Reynolds, Coroner of Carroll county,  
Was read and disagreed to.

The resolution of the House of Representatives, in favour of John Wells, Tax collector of Bryan county for the years 1823 and 1824,  
Was read and concurred in.

The report and resolution of the House of Representatives, in favor of John Fort, Tax Collector of Twiggs county, for the year 1829,  
Was read and concurred in.

**The resolution of the House of Representatives, in favour of James O'Kelly of Bridge's District, Oglethorpe county,**  
Was read and disagreed to.

**The report from the House of Representatives, of the committee to whom was referred the petition of the citizens of St. Marys, relative to arms, &c.**

Was read and disagreed to.

**The resolution of the House of Representatives, authorizing the Governor to furnish six copies of Prince's Digest to the county of DeKalb, and twelve copies of the Georgia Justice and Prince's Digest, for the county of Decatur,**

Was read and concurred in.

**The resolution of the House of Representatives, transferring the public lands to work on the roads of Burke, Jefferson and Washington counties, after they shall have finished their work near Brunswick, and Barrington to the Bull Town Swamp,**

Was read and disagreed to.

**The preamble and resolution of the House of Representatives upon the subject of General Jackson's re-election to the Presidency of the U. States, as a substitute for those agreed to by the Senate the 24th November,**

Were read and concurred in, unanimously.

**A message was received from the Governor by Mr. Cuthbert, his Secretary, informing the Senate, that the Governor had assented to, and signed the following acts, which originated in the Senate, to wit :**

**An act to alter and amend an act to impose an additional tax on pedlars and other itinerant traders, passed 9th December, 1824, and to punish such traders for illegal trading with slaves.**

**An act to authorize the Judge of the Superior courts of the Southern circuit to hold an extra term of said court in the county of Decatur.**

**An act to make permanent the public site in the county of Irwin, and appoint commissioners for the same.**

**An act giving the Intendant and members of Council of the town of St. Marys, authority to act as Justices of the Peace, in certain cases; and**

**An act to incorporate a Banking Company under the name of the Commercial Bank at Macon.**

**The following message was received from the House of Representatives by Mr. Dawson, their Clerk:**

**The House of Representatives have agreed to the resolutions in part, reported from the committees on the State of the Republic, upon the Delaware resolutions in relation to the Tariff act of 1828.**

**To the report of the joint committee on Agriculture and Internal Improvement, upon the subject of the Public Roads.**

They have agreed to a resolution authorizing the publication of the act regulating Elections in this State, to be published in the Georgia Journal and Federal Union.

And to a resolution authorizing the publication of the Law changing the time of holding courts in Decatur county, in the Georgia Journal and Georgia Reporter, to which they desire concurrence

And to a resolution upon the subject of the printing contract, to which they desire concurrence.

The following report of the committee on Finance, laid on the table yesterday, was taken up, read and agreed to :

The committee on Finance, to whom was referred the annual report of the Treasurer and Comptroller General, have had the same under their consideration and critical examination, and ask leave to report—

Your committee have carefully examined the report of the Comptroller, and find the abstract exhibited by him, corresponds with the books and vouchers in his office; the accounts are neatly kept and regularly posted up—the vouchers and entries correspond with the report.

The warrants drawn by the Executive, have also been examined & found to correspond in date & amount, with the abstract accompanying his Excellency's message. Your committee have also examined a list of tax collectors in arrear, and find that from the year 1803 to the year 1829; fifty-nine tax collectors (whose names are herewith transmitted) are in default to the amount of \$47,308 65 cents, which is believed to be desperate.

On referring to the land lottery books, it will be perceived, that several of these defaulting collectors have drawn land; and no doubt many of their securities have drawn land also: Your committee would recommend in such cases in execution in favour of the State, being older than any other against such persons, or their securities, or either of them, that such lands, by order of his Excellency the Governor, be granted and sold for the benefit of the State, and that the proceeds of the sale after deducting the legal expenses, be placed to the credit of such defaulters.

The known vigilance and industry of the Comptroller General, is confidently relied upon by your committee as a pledge that he will use every effort in his power to close as speedily & profitably to the State as possible, those long outstanding debts, of which she has been most shamefully defrauded by a gross violation of the public confidence hitherto reposed by the people of the several counties.

ties in the numerous tax collectors, whose names are appended to this report; and which your committee request may be published in the Journals of the present session.

Much inconvenience is experienced in consequence of the irregularity of tax receivers in transmitting their digests of taxable property to the Comptroller General's Department.

Your committee would recommend that the receivers of tax returns be required to deposit their digests in the Comptroller's Office by a certain day, under the same penalties in cases of default, as are now by law imposed on collectors.

Your committee to whom was referred the annual report of the Treasurer for the political year 1831, have carefully compared the same with the vouchers and entries in that department, and found them to correspond, and to be kept in a style highly creditable to that officer.

Your committee have also examined the books of the Treasurer, from the first to the twentieth day of the present month (November) both inclusive, and find them correct. The receipts over the expenditures of the same period, amount to the sum of \$11,578 60 cents, which sum added to the balance in the Treasury on the twenty-first day of October last, to wit: \$86,261 49 cents, amounts to \$97,840 09 cents, from which sum is to be deducted, one bill on the State Bank raised from one dollar to \$40, and one counterfeit ten dollar bill on the Bank of Augusta, amounting to twenty dollars, which when deducted from the current amount, leaves \$97,820 09 cents, mostly composed of bills on chartered banks; to which is to be added ten thousand dollars of stock in the Bank of the State of Georgia, and \$2,787 73 cents of paper medium; making an aggregate of \$110,607 82 cents; all of which has been turned over by the former incumbent to John Williams, Esq. the present Treasurer.

Your committee would respectfully recommend that the annual reports of the Treasurer and Comptroller General, together with the abstracts of warrants drawn by the Executive upon the Treasury, be published in the Journals of the present session.

The Senate took up the following report of the joint committee on Agriculture and Internal Improvement, laid on the table the 14th instant:

The joint committee on Agriculture and Internal Improvement to whom was referred the petition of sundry persons from Lincoln and Columbia county, relative to the subject of the course the public hands should direct the Petersburg road—either by Lincoln or Goshen—have had the same under consideration, and do recommend that the superintendant of said road do cause to be admeasured the said roads or routes, and examine the same, and determine which will be most advantageous to the public generally.

To which, said report, Mr. Anderson offered the following as a substitute :

The joint committee on Agriculture and Internal Improvement to whom was referred the petition of sundry persons of Columbia and Lincoln, praying that a survey may be made of the public river road from the Quaker Springs, in Columbia county, to Goshen, Petersburg, &c. and also a road to be laid out, leaving said river road at or near the Big Kiokee creek in Columbia, to Lincoln Court-house, and strike the river road again at or near Goshen, and report the practicability and utility of a change of the road of the latter course.

The following report is submitted :

The law which passed in December, 1829, to provide for the improvement of the roads and rivers in this State, gives ample powers to the superintendents of the public roads in their respective sections to change the direction of the public roads assigned to their management, so that they shall not materially vary from the direction of the old road. But the road from Augusta to Goshen, Petersburg, &c. known as the Savannah River Road, is one of the roads defined and pointed out by an act of Dec., 1830, for the superintendent to work the public hands upon ; to change it is beyond his power, and to direct the survey as pointed out by the petitioners would be attended with expence without producing the desired effect, and a simple report and resolution authorizing a survey, would not authorize the superintendent to vary from the road pointed out by law : the alteration of the road contemplated and desired, would not only produce great expence to the State, but probably produce disorganization of plantations and improvements of farmers ; the expence of which would fall upon the county where such injury takes place—if the desires of the petitioners were to be acquiesced in, and a survey to be ordered, it would produce great delay in the progress of the road which would operate injuriously to the interest of the upper counties, through which the said public road passes. Under all the circumstances, it would not be advisable to grant the prayer of the petitioners, until a more full and correct information is had, shewing the importance and necessity of the change of roads.

Which was read and agreed to.

The Senate took up the report of the committee on Engrossed Journals of the Senate, which was read, agreed to, and is as follows :

The committee appointed to examine the Engrossed Journals, report—

That they have examined the same up to Friday, the 16th inclusive, of this inst., and find them correctly Engrossed, and ask leave to be discharged from the further examination of the same ; and

Whereas, from the extraordinary length of the Journals of the Senate of the present session, increased by journalising all the testimony in the contested election of Decatur county, the engrossing

clerk cannot complete the recording of the same in the time usually heretofore allowed for completing the unfinished business :

*Be it therefore resolved*, that the Engrossing Clerk of Senate be allowed seven days after the adjournment of the session to complete his labours.

The bill of the House of Representatives, to add additional election districts in the county of Merriwether,

Was ordered to lie upon the table till called up ; and

The bill of the House to incorporate the trustees of the Masonic Hall in the town of Milledgeville,

Was read the second time and ordered for a third reading.

The Senate resolved itself into a committee of the whole, mr. Echols of Walton, in the chair, on the reconsidered bill of the House of Representatives, to abolish Penitentiary Imprisonment in this State, except in certain cases ; to change the mode of punishment for crimes and misdemeanors, and for other purposes : and having spent some time therein, the President resumed the chair, and the bill was reported with an amendment.

The Senate took up and agreed to the report ; the bill was then read the third time and passed.

The Senate resolved itself into a committee of the whole, mr. Everett in the chair, on the bill of the House of Representatives, to authorize Andrew F Woolley to keep up his mill dam across the Chestatee river in the county of Hall ; and having spent some time therein, the President resumed the chair, and the bill was reported without amendment.

The Senate took up and agreed to the report ; the bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, mr. Ector in the chair, on the bill defining the liability of purchasers of real and personal estate, at executors, administrators, guardians and sheriffs sales, when they refuse or fail to comply with the terms of such sales ; and having spent some time therein, the President resumed the chair, and the bill was reported without amendment.

The Senate took up and agreed to the report ; the bill was then read the third time and passed.

The Senate resolved itself into a committee of the whole, mr. Harlow in the chair, on the bill of the House of Representatives, to alter and fix the times of holding the Superior courts in Wilkinson county ; and having spent some time therein, the President resumed the chair, and the bill was reported without amendment.

The Senate took up and agreed to the report ; the bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, **mr. Hines** in the chair, on the bill of the House of Representatives, to regulate slaves in the county of Burke, and for other purposes; and having spent some time therein, the President resumed the Chair, and the bill was reported without amendment.

The Senate took up and agreed to the report; the bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, **mr. McKee** in the chair, on the bill of the House of Representatives, to authorize the Justices of the Inferior court of Madison county to loan out the county funds at interest; and having spent some time therein, the President resumed the chair, and the bill was reported with amendments.

The Senate took up and agreed to the report; the bill was read the third time and passed under the title of a bill to authorize the Justices of the Inferior courts of Madison, Jasper, Burke, Waitson, Butts and Scriven counties, or a majority of them, to loan out the county funds at interest.

The Senate resolved itself into a committee of the whole, **mr. Groves** in the chair, on the bill of the House of Representatives, to alter and fix the time to hold the Inferior court of Butts county; and having spent some time therein, the President resumed the chair, and the bill was reported without amendment.

The Senate took up and agreed to the report, the bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, **mr. Loyall** in the chair, on the bill of the House of Representatives, to prevent itinerant or unauthorized persons from locating themselves on or near the river Savannah, under the pretence of fishing, and to prevent obstructions to the passage of fish up the said river; and further to prohibit the trading with slaves, and to extend the powers of civil officers and patrols; and having spent some time therein, the President resumed the chair, and the bill was reported without amendment.

The Senate took up and agreed to the report; the bill was read the third time: and on its passage,

The yeas and nays were required, and it was decided in the affirmative.

The yeas are 33—the nays are 30.

Those in the affirmative are, messrs.

Allen	Boykin	Burch
Avery	Branham	Coxe
Bailey	Brown of Camden	Daniell
Baker	Bryan	Devereux



Hall	Mealing	St. George
Harlow	Mercer	Thomas of Appling
Healy	Mitchell	Towns
Hines	Muncrief	Waldhauer
Holloway	Nisbet	White
Johnson	Sheffield	Williams
Layall	Stapleton	Woolfolk

Those in the negative are, messrs.

Anderson	Echols of Walton	Singleton
Blackstone	Ector	Smith
Bowen	Paris	Spann
Brown of Monroe	Fullwood	Stewart
Cargille	Graham	Swain
Clayton	Groves	Ware
Cleveland	Hawthorn	Wells
Cone	McRae	Wofford
Danagaa	Mobley	Wood
Echols of Coweta	Parrish	Wooten

A message was brought from the House of Representatives by Mr. Dawson, its Clerk, informing the Senate that

That the House of Representatives had passed the following bills of Senate, viz:

A bill to lay out the Gold Region in the lands at present in the occupancy of the Cherokee Indians, into small lots, and dispose of the same by separate lottery.

A bill to incorporate the meeting house on the neck road, near Hardwick, in the county of Bryan and to appoint trustees for the same.

A bill to authorize John Bailey and Robert Collins, of the county of Bibb, to make and construct a causeway or turnpike road on their own land, through the Tobasofkee Swamp, to charge and receive toll at the same, and to annul an order of the Inferior court of the county aforesaid establishing a toll bridge over the Tobasofkee creek, on the Perry road, with certain provisions, with an amendment.

A bill to add a part of Carroll county to Heard county.

A bill to regulate the transportation of Gunpowder and authorise the forfeiture of such as shall be transported in violation of the provisions this act.

A bill to incorporate and make permanent the site of the public buildings in and for the county of Heard, at the Town of Franklin.

A bill for the relief Julia Ann Miller.

A bill to incorporate the Lancantrian Society of Columbus.

A bill to continue a mill dam across the Ocmulgee river.

A bill to amend in part the ninth section of an act to establish a Bank at Milledgeville, to be called and known by the name and style of the Central Bank of Georgia, to appropriate monies, bank stock, and other securities to form the capital stock of said bank, and to incorporate the same, so far as regards the salary of the Cashier of said bank.

A bill to sell fraction No. 402, in the 4th district of formerly Baldwin, now Morgan, with a proviso as an amendment.

A bill to remove the county site of Baker county from Bryan to lot No. 170, in the 8th district of said county, and to appoint commissioners for that purpose.

A bill to alter and amend an act to regulate the licensing of physicians in this State, passed 24th day of December, 1825.

A bill to establish certain ferries therein mentioned.

A bill to separate Nathaniel Perritt, and his wife, Sally Perritt.

A bill to authorize and compel John R. M. Neal, Treasurer of Randolph county, in the year 1830, to pay over to the Justices of the Inferior court of Stewart county, money which he held or now holds arising from the sale of lots in the town of Lumpkin, that was not otherwise disposed of previous to the division of Randolph county.

And a bill to incorporate Harmony Academy in Henry county, and to appoint trustees for the same.

They have agreed to the amendments of Senate to the bill to authorize the payment of certain monies to the trustees of Laurens county academy and certain other monies to the Inferior court of Laurens county, or the trustees of the poor school fund of said county.

To the amendments to the bill to authorize the building of a meeting house by the Baptist denomination, worshipping at a place known by the name of Double Branches, in the county of Lincoln, &c. &c.

To the amendment to the bill to abolish Penitentiary imprisonment in this State, except in certain cases,—to change the mode of punishment for crimes and misdemeanors, and for other purposes.

The Senate resolved itself into a committee of the whole, Mr. Mealing in the Chair, on the bill of the House of Representatives, to alter and amend the 4th section of an act assented to 22d December, 1830, to authorize the survey and disposition of lands within the limits of Georgia, in the occupancy of the Cherokee tribe of Indians, and all other unlocated lands within the limits of said State claimed as Creek land; and to authorize the Governor to call out a military force to protect surveyors in the discharge of their duties, and to provide for the punishment of persons who may prevent or attempt to prevent any surveyor from performing his duties as pointed out by this act, or who shall wilfully cut down and deface any marked trees or remove any land mark which may be made in pursuance of this act, and to protect the Indians in the peaceable possession of their improvements, and of the lots on which the same may be situate; and having spent some time there-

in, the President resumed the Chair, and the bill was reported without amendment.

The Senate took up and agreed to the report ; the bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, Mr. Mitchell in the Chair, on the bill of the House of Representatives, to prevent the assemblage or collection of free persons of colour or slaves in this State, under pretence of religious worship, or for any other purpose or purposes whatsoever, without the express permission of their owners, and of the presence of one or more responsible citizen or citizens of this State ; and having spent some time therein, the President resumed the Chair, and the bill was reported with amendments.

The Senate took up and agreed to the report of the committee ; the bill was read the third time and passed under the title of a bill to prevent the assemblage or collection of free persons of colour or slaves in this State, under pretence of religious worship, or for any other purpose or purposes whatsoever, without the express permission of their owners and of the presence of one or more responsible citizen or citizens of this State ; and to prevent persons from retailing or selling spirituous liquors to slaves without a ticket from the owners, overseers or agents of such owners of slaves, and to prevent owners of slaves, their agents, executors or administrators, having care of slaves, from permitting them to hire or use their own time, and to require persons taking license to retail spirits, to take an oath not to sell spirits to slaves or persons of colour, without a ticket from the owner, &c. or guardian of such slaves or free persons of colour, and to provide punishments for violations of this act.

The Senate resolved itself into a committee of the whole, Mr. Graham in the Chair, on the bill of the House of Representatives, for the relief of Joseph R. Salter ; and having spent some time therein, the President resumed the Chair, and the bill was reported without amendment.

The Senate took up and agreed to the report ; the bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, Mr. Nisbet in the Chair, on the bill of the House of Representatives, to loan to the town of Columbus, a sum of money for the construction of a bridge across the Chattahoochee river at said town—to provide for the payment of said loan—to make permanent said bridge—and for other purposes ; and having spent some time therein, the President resumed the Chair, and the bill was reported without amendment.

The Senate took up the report and agreed thereto ; the bill was read the third time, and on its passage,

The yeas and nays were required, and it was decided in the affirmative.

The years are 49—the nays 14.

Those in the affirmative are, messrs.

Allen	Echols of Coweta	Muncrief
Avery	Ector	Nisbet
Bailey	Everett	Parrish
Baker	Faris	Sheffield
Blackstone	Graham	Singleton
Bowen	Groves	Smith
Boykin	Hall	Spann
Branham	Harlow	Stewart
Brown of Camden	Hawthorn	St. George
Brown of Monroe	Henly	Temples
Bryan	Hines	Towns
Burch	Holloway	Ware
Cargille	Johnson	White
Clayton	Loyall	Williams
Cleveland	Mercer	Wofford
Daniell	Mitchell	Woolfolk
Devereux		

Those in the negative are, messrs.

Anderson	Mealing	Waldhane
Cone	Mobley	Wells
Dunagan	Stapleton	Wood
Echols of Walton	Surrency	Wooten
Fullwood	Thomas of Appling	

The Senate adjourned until 3 o'clock, P. M.

### **FRIDAY, 3 O'CLOCK P. M.**

The Senate resolved itself into a committee of the whole, on the bill of the House of Representatives, to make permanent the site of the public buildings in the town of Lumpkin, in the county of Stewart, Mr. Parrish in the chair; the President resumed the chair, and

The bill was reported without amendment.

The Senate took up and agreed to the report ; the bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill to amend an act to provide for the improvement of the roads and rivers of this state, passed 18th Dec. 1829, Mr. Spann in the chair ; the President resumed the chair, and

The bill was reported without amendment.

The Senate took up and agreed to the report ; the bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill to place a part of the public lands on a road to commence on the Turnpike road, leading from Augusta to Washington, near Wrightsborough, and to pass through Wrightsborough, Crawfordsville, Greensborough, Madison, Covington and on to Decatur, for the improvement of the same ; Mr. Singleton in the chair ; the President resumed the chair, and

The bill was reported without amendment.

The Senate took up and agreed to the report ; the bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill to regulate and make uniform the proceedings against bail in criminal cases, Mr. Stapleton in the chair ; the President resumed the chair, and

The bill was reported without amendment.

The Senate took up and agreed to the report ; the bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill to provide for the recovery of cost in Justices courts in certain cases, Mr. St. George in the chair ; the President resumed the chair, and

The bill was reported without amendment.

The Senate took up and agreed to the report ; the bill was read the third time and passed.

The Senate resolved itself into committee of the whole, on the bill to authorize the Intendant and Commissioners of the town of Columbus to lay off and lease water lots in said town, below Thomas street, for any number of years not exceeding twenty, for wharves only ; Mr. Thomas of Appling in the chair ; the President resumed the chair, and

The bill was reported without amendment.

The Senate took up and agreed to the report ; the bill was read the third time and passed.

The Senate resolved itself into committee of the whole, on the bill to amend and alter the oath of bailiffs who take charge of special and petit Jurors, and for other purposes, Mr. Waldhauer in the chair; the President resumed the chair, and

The bill was reported without amendment.

The Senate took up and agreed to the report; the bill was read the third time and passed.

The Senate resolved itself into committee of the whole, on the bill to alter and amend the road laws of this State so far as respects the county of Dooly, Mr. Williams in the chair; the President resumed the chair, and

The bill was reported without amendment.

The Senate took up and agreed to the report; the bill was read the third time and passed.

The Senate resolved itself into committee of the whole, on the bill to consolidate the Poor School and Academical fund of the county of Bryan, and for other purposes, Mr. Wofford in the chair; the President resumed the chair, and

The bill was reported without amendment.

The Senate took up and agreed to the report; the bill was read the third time and passed.

The Senate resolved itself into committee of the whole, on the bill to authorize the Sheriff of Stewart county to dispose of a lot of land No. 220, in the 22d district of originally Lee, now Stewart county, Mr. Wood in the chair; the President resumed the chair, and

The bill was reported without amendment.

The Senate took up and agreed to the report; the bill was read the third time and passed.

The Senate went into committee of the whole, on the bill for the relief of Daniel Gray of Upson county, Mr. Wooten in the chair; the President resumed the chair, and

The bill was reported without amendment.

The Senate took up and agreed to the report; the bill was read the third time and passed.

The Senate went into committee of the whole, on the bill for the relief of Edmond Puckett, Mr. Allen in the chair; the President resumed the chair, and

The bill was reported without amendment.

The Senate took up and agreed to the report; the bill was read the third time and passed.

The bill to separate and divorce Elizabeth Myers and John Myers, her husband,

Was read the third time and passed by a constitutional majority.

**The Senate went into committee of the whole, on the bill to lay out and organize a new county, to be composed of all the lands lying west of the Chattahoochee river, & north of Carroll county line, within the limits of Georgia, Mr. Baker in the chair; the President resumed the chair, and**

**The bill was reported without amendment.**

**The Senate took up and agreed to the report; the bill was read the third time and passed.**

**The Senate went into committee of the whole, on the bill to appoint commissioners to survey and lay out a public market road from Columbus on the Chattahoochee to St. Mary's in Camden county, Mr. Boykin in the chair; the President resumed the chair; and**

**The bill was reported without amendment.**

**The Senate took up and agreed to the report; the bill was read the third time and passed.**

**The Senate resolved itself into committee of the whole, Mr. Anderson in the chair, on the bill to alter and amend the act incorporating the Savannah Ogeechee and Altamaha Canal Company, and for other purposes; the President resumed the chair, and**

**The bill was reported without amendment.**

**The Senate took up the report.**

**When,**

**On motion of Mr. Wofford, to strike out the section in the following words :**

**"That the debt now due by the said Corporation to the State of Georgia, be vested in the stock of said Corporation, and that, upon the board of Directors of the said Company, executing and delivering into the Central Bank of Georgia, certificates of Stock in the said Corporation, equal in amount to the said debt, at par, that the Directors of said Bank, be, and they are hereby authorised and required, to deliver up the bond of the said Corporation, made to secure the said debt, to the said Corporation, to be cancelled."**

**The yeas and nays were required to be recorded,**

**The Yeas are 29—the Nays are 31.**

**Those in the affirmative are, messrs.**

Anderson  
Black  
Blackstone  
Bowen  
Cargille

Cleveland  
Coxe  
Deagan  
Echols of Coweta  
Echols of Walton

Everett  
Faris  
Groves  
Hall  
Hawthorn

Henly  
Johnson  
Mealing  
Parrish  
Singleton

Smith  
Spann  
Swain  
Temples  
Ware

Wells  
Wofford  
Wood  
Wooten

Those in the negative are, messrs.

Allen  
Avery  
Bailey  
Baker  
Boykin  
Branham  
Brown of Camden  
Bryan  
Burch  
Clayton  
Coxe

Daniell  
Devereux  
Ector  
Fullwood  
Harlow  
Hines  
Holloway  
Loyall  
McRae  
Mercer

Mitchell  
Nisbet  
Stapleton  
St. George  
Surrency  
Thomas of Appling  
Waldhauer  
White  
Williams  
Woolfolk

Mr. Parrish proposed the following proviso to the report :  
Provided no further advances shall ever be called on from the  
state, to aid in furthering the final completion of said Canal.

On agreeing to said amendment,

The yeas and nays were required to be recorded, and are, Yeas  
32—Nays 27.

Those in the affirmative are, messrs.

Anderson  
Black  
Blackstone  
Bowen  
Burch  
Cargille  
Clayton  
Cleveland  
Coxe  
Dunagan  
Echols of Coweta

Echols of Walton  
Ector  
Everett  
Faris  
Fullwood  
Groves  
Hall  
Hawthorn  
Henly  
Johnson  
Parrish

Singleton  
Smith  
Spann  
Swain  
Temples  
Ware  
Wells  
Wofford  
Wood  
Wooten

Those in the negative are, messrs.

Allen  
Avery  
Bailey  
Baker  
Boykin

Branham  
Brown of Camden  
Bryan  
Coxe  
Daniell

Devereux  
Harlow  
Hines  
Holloway  
Loyall



McRae	Stapleton	Waldhauer
Mealing	St. George	White
Mercer	Surrency	Williams
Mitchell	Thomas of Appling	Woolfolk
Nisbet		

The report as amended was agreed to.

The bill read the third time, and on its passage,

The yeas and nays were required to be recorded, and are, Yeas 31—Nays 29.

Those in the affirmative are, messrs.

Allen	Daniell	Mitchell
Avery	Devereux	Nisbet
Bailey	Echols of Coweta	Stapleton
Baker	Everett	St. George
Boykin	Harlow	Surrency
Branham	Hines	Thomas of Appling
Brown of Camden	Holloway	Waldhauer
Bryan	Loyall	White
Burch	McRae	Williams
Clayton	Mercer	Woolfolk
Coxe		

Those in the negative are, messrs.

Anderson	Faris	Smith
Black	Fullwood	Spann
Blackstone	Groves	Swain
Bowen	Hall	Temples
Cargille	Hawthorn	Ware
Cleveland	Henly	Wells
Cone	Johnson	Wofford
Dunagan	Mealing	Wood
Echols of Walton	Parrish	Wooten
Ector	Singleton	

The Senate resolved itself into committee of the whole, on the bill to amend the Judiciary law, of 1799, in relation to bail, and also to amend the Judiciary law of this state, passed 16th of Feb. in the year 1799, so far as to authorize the issuing of bail process in certain cases, passed the 8th Nov. 1830; so as to authorize Agents and Attornies in fact or at law, to hold to bail in all civil cases, Mr. Surrency in the chair; the President resumed the chair, and

The bill was reported without amendment.

The Senate took up and agreed to the report ; the bill was read the third time and passed.

The following bills of the House of Representatives, were read the third time and passed :

A bill to apportion the Representatives among the several counties in this State, according to the sixth enumeration, in conformity to the seventh section of the first article of the Constitution.

A bill for the relief of Wm. R. Russell of Upson county, and for other purposes.

A Bill to authorize John S. Shelby to practice medicine in this State.

A bill to incorporate the Baptist Church at Holly Spring on Rocky creek in the county of Laurens, and of the Baptist Church at Mt. Zion, in Hancock county, and the Baptist Church at Bethel, in the county of Hancock, and appoint Trustees for the same.

The bill to alter and amend the road laws of this state, so far as respects the county of Emanuel, was amended so as to extend its provisions to the counties of Pulaski, Telfair and Laurens ; the caption was changed so as correspond with the amendments.

The bill read the third time and passed.

A bill to amend the several acts passed in relation to the powers and privileges of the corporation of the town of Athens.

A bill to authorize the erection of a Lazaretto at the city of Savannah.

A bill to declare and make certain the law defining the liability of securities and endorsers of promissory notes and other instruments.

A bill for the relief of John Burgess, of Franklin county.

A bill to authorise certain commissioners therein named, to raise the sum of 1500 dollars by lottery, for the purpose of building an Academy in the town of Fort Gaines.

A bill amendatory of and suppiimental to "an act to lay off, define and keep open the main channel of Savannah river, from Augusta to the mouth of Lightwood Log Creek, in Elbert county, so as to prevent the obstruction of the navigation, and free passage of fish therein, and to punish those who may obstruct the same, and to appoint commissioners to carry the provisions of this act into effect, and to point out the mode of their compensation, passed 22d Dec. 1829, and also the act passed 22d Dec. 1830, to amend the said recited act.

A bill to remove the undisbursed funds of the Smithville Academy in Early county, to the town of Fort Gaines in said county.

A bill to authorize the Inferior court of Hancock county, to improve the public roads of said county.

A bill to alter and amend an act to incorporate the town of Monroe in the county of Walton.

A bill to authorise a lottery for the purpose of raising within a certain time the sum of two thousand dollars, to be appropriated to the building of a bridge in the county of Hall, and the keeping the

same in good order, and to appoint commissioners to carry the said act into effect.

A bill to authorize the Justices of the Inferior court of Baldwin county, to remit a forfeiture incurred by Robert Reynolds; and.

A bill to authorize the planters and inhabitants of Skedaway Island in the county of Chatham, to erect a bridge under certain restrictions herein contained.

Mr. Brown of Camden, chairman, reported as duly Enrolled, and signed by the Speaker of the House of Representatives, the following acts, to wit:

An act prescribing the manner of taking testimony in cases where any person intends contesting the seat of any member, returned as elected a Senator or Representative of the Legislature of this state.

An act to prohibit the practice of horse racing, on the public highways in the county of Chatham.

An act to incorporate a Banking company in the town of Hawkinsville.

An act to regulate the future elections of members of Congress in this State.

An act to extend to the county of Bibb, all the benefits and privileges of the 16th section of an act entitled an act to amend the several acts regulating roads in this State, so far as respects the operation of said acts in the counties of Bryan, Liberty, McIntosh, Glynn, Camden and Wayne, passed Dec. 8th 1830.

An act amendatory of the 15th, 22d and 24th sections of an act passed on the 19th day of December, 1818, entitled an act to revise and consolidate the militia laws of this State, and to repeal the Cavalry laws now in force, and to regulate the number of reviews.

An act to authorize Robert Ligon to erect a toll bridge across the Chestatee river, and to regulate the rate of toll for the same.

An act to incorporate a Volunteer Patrol Association in the county of McIntosh, under the name and style of the Corps of vigilance.

An act to amend an act entitled an act to amend and consolidate the several acts which have been passed in relation to the powers and privileges of the corporation of the city of Savannah, and the hamlets thereof, and for other purposes herein mentioned, passed 26th December, 1825, and for other purposes herein mentioned.

An act to authorize the establishment of a volunteer company in the county of Taliaferro, and for the equipment of the same.

An act to amend the road laws of McIntosh county.

An act to authorize James G. Salisbury, to establish a ferry across the Chattahoochee river in Randolph county.

An act to alter and change the names of certain persons.

An act to amend the several acts incorporating the town and city of Darien.

An act to authorise the citizens of Mallorysville and its vicinity, to raise a volunteer rifle company, to be known by the name and style of the Mallorysville Rifle Company, and to extend thereto certain privileges.

An act to authorize an direct the superintendants of the public hands at Columbus to open and construct a road from Columbus to Franklin in Troup county; and also to work and improve the road from Columbus by the way of La Grange to the old McIntosh Reserve in Carroll county, and also the road from Greenville, in Meriwether county, to Newnan, in Coweta county.

An act to authorise the Justices of the Inferior court of Wilkes county, or a majority of them, to hire or purchase negroes for the improvement of roads and bridges in said county; also to authorise said court to levy an extra tax, for the purpose of carrying the same into effect.

An act to repeal the 1st section of an act entitled an act to make Constables elective by the people, and the mode of taking their bonds, and to point out their duties in certain cases, so far as said act relates to the county of Chatham.

An act to remit a forfeiture incurred by Thomas H. White and William McCraven, of the county of Columbia.

An act to alter and amend an act passed the 23d Dec. 1830, prescribing the manner of holding elections in the several election districts, in the several counties of this State, and to punish those who may defeat or violate the election laws of force in this State, so far as respects the county of Liberty.

An act to legalize and make valid the official acts of James C. Martin, deputy clerk of the Inferior court and court of Ordinary of Gwinnett county; and an

An act to alter and amend the road laws of this State, so far as respects the county of Camden.

The following message was brought from the Governor by Mr. Cuthbert, his Secretary, informing the Senate, that the Governor had this day approved and signed the following resolutions, which originated in the Senate, viz :

A resolution, in relation to contracts for public printing.

A resolution for the relief of Henry Smith, the purchaser of a certificate for fractions No. 39 and 72, in the 12th district of Habersham.

Resolutions requiring the superintendents of roads to examine the pass-ways over Bryer Creek, and to report to the next Legislature on the same; and also to examine and report, in relation to the expediency and probable expence of building a bridge across Flint river, at the Flat Shoals; and to examine and report, in relation to the roads from the different public ferries across the Altamaha; and

A resolution in relation to the appropriation of money for the purchase of slaves, to open and improve Rail Road Creek, in the neighborhood of the town of Brunswick, and to cut out a road to the Altamaha swamp; and to construct a road from Fort Barrington

ton, to Samuel Jones's, in Liberty county, and after a given time to transfer the said slaves, to labour on roads and rivers elsewhere.

The Senate went into committee of the whole, on the bill to incorporate certain Academies, and to appoint Trustees for the said Academies, Mr. Blackstone in the chair ; the President resumed the chair, and

The bill was reported with amendment.

The Senate took up and agreed to the report ; the caption changed to correspond with the amendment ; the bill was read the third time and passed.

The Senate resolved itself into committee of the whole, on the bill to alter the times of holding the Superior courts in some of the counties of the Southern circuit, Mr. Bowen in the chair ; the President resumed the chair, and

The bill was reported with amendment.

The Senate took up and agreed to the report ; the bill was read the third time and passed.

The bill for the relief of John Bonner and Burwell Ingram, of the county of Hancock, from the operation of the acts against duelling ; and

The bill for the relief of Thomas S. Wayne, of the county of Chatham, from the operation of the act of the 2d Dec. 1828, against duelling ; were

On motion of Mr. Henly,

Ordered to lie on the table the remainder of the session.

The bill to reduce the salaries of the public officers of this state ;

The bill to amend the Militia laws, so far as respects the county of McIntosh ; and

The bill for the relief of James Henson of Rabun county,  
Were ordered to lie on the table till called up.

The bill of the House of Representatives to authorize the formation of a company for constructing a rail road or turnpike from the city of Augusta to Eatonton, and thence westward to the Chattahoochee river, with branches thereto, and to punish those who may injure the same ;

Was read the third time, and on the passage thereof,

The yeas and nays were required to be recorded, by Mr. Wood,

And are, Yeas 42—Nays 5.

Those in the affirmative are, messrs

Allen	Echols of Coweta	Nisbet
Anderson	Echols of Walton	Parrish
Bailey	Graham	Singleton
Blackstone	Groves	Smith
Bowen	Hall	Spann
Boykin	Harlow	St. George
Branham	Hawthorn	Swain
Brown of Camden	Henly	Thomas of Appling
Bryan	Hines	Temples
Burch	Holloway	Ware
Cargille	Johnson	White
Daniel	Loyall	Williams
Devereux	Mercer	Wofford
Dunagan	Mitchell	Wooten

Those in the negative are, messrs.

Clayton	Faris	Wood
Cone	Fullwood	

The bill to encourage the Volunteer troop of Cavalry composing the squadron of the 1st military division of the state,

Was ordered to lie on the table the remainder of the session.

The Senate took up and concurred in the amendments of the House of Representatives, to the bill to sell fraction No. 402, in the 4th district of formerly Baldwin now Morgan county.

In the amendments to the bill, amendatory of the act of 1839, regulating Patrols, &c. so as to allow compensation to Justices of the Peace, for certain services, &c. so far as respects the counties of Liberty, Glynn, Bryan, Morgan, McIntosh, Effingham and Chatham.

In the amendments to the bill to authorize John Bailey and Robert Collins, of the county of Bibb, to make and construct a causeway or turnpike road on their own land, through the Tobiasofkee Swamp, &c. &c.

On motion of Mr. Faris,

*It was resolved*, that the Governor be requested and authorized to send with the Laws and Journals of the present session, to the county of Rabun, four copies each of Prince's Digest and Georgia Justice, for the use of the Justices of the Peace of said county.

On motion of Mr. Groves,

The Secretary of Senate was authorized to employ an additional number of enrolling clerks in his office, for the remainder of the session, as in his judgment may be necessary.

Mr. Cone, from the committee on accounts, suggested that doubts were entertained by the committee, as to the adjustment of the accounts of Daniel O. Neel and William Hawthorn, and requested the instruction of the Senate, as to the mileage to which each of these individuals was entitled.

The consideration of this subject was postponed until to-morrow morning.

The Senate adjourned until half past 9 o'clock to-morrow morning.

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*SATURDAY, 24th December, 1831.*

On motion by Mr. Henly,

The reading of the Journal of yesterday, was dispensed with, excepting so much thereof as any member may wish to have reconsidered.

Whereupon,

Mr. Dunagan moved to reconsider that part embracing the passage of the bill of the House of Representatives, "to alter and amend the act incorporating the Savannah, Ogeechee and Altamaha Canal company, and for other purposes."

The motion was decided in the affirmative.

Mr. Bowen moved also, to reconsider so much as relates to the disagreement to the resolution of the House of Representatives, in favor of Anson Reynolds, of Carroll county.

The motion was sustained.

And Mr. Brown of Camden, moved to reconsider so much of said Journal, as relates to the disagreement to the resolution of the House of Representatives, "authorising the transportation of certain public arms to the town of St. Mary's, Camden county, to be placed under the direction and controul of the corporation of said town."

The motion was decided in the affirmative.

On motion by Mr. Henly,

*Resolved*, that the Senator from Lincoln, have leave to withdraw

the petition of sundry persons of Lincoln and Columbia, relative to the public road in said counties.

Mr. Wood, from the committee appointed to enquire into the character of the waters of the river Altamaha, and its tributary streams, and whether they are not the rightful channels through which the commerce of central Georgia, ought to flow, together with such other matters as may be connected with the subject, submitted the following report :

The committee, have had the above resolution under consideration, and viewing the enquiry as embracing matters worthy of the serious attention of the citizens of Georgia, beg leave to precede the investigation of this subject, by expressing their astonishment, at the studied silence which hitherto has been observed, as to the real importance of the river Altamaha, but especially to that section of country, whose particular interests are so evidently identified, with its tributary streams. Nor can they refrain from remarking, that while the more visionary schemes, have been spread before the public, self interest has adroitly employed the most delusive glosses, for the purpose of profiting the few, at the expence of the many:

While the subject of Internal Improvement has been presented in a variety of aspects, it has struck your committee, that the plain dictates of common sense have been lost sight of, and all of the plans suggested, must eventuate in the expenditure of immense sums of money, without any beneficial result. It is certainly true, that many states in the Union, among which our own may be classed, are to a certain degree, susceptible of some improvement; but few or rather none are so fortunate in location as the state of New York : the great prototype, who the advocates of Internal Improvement, are constantly trumpeting as an example, always keeping out of view, a material fact, the failure in the analogy.

The first great question to be decided, is, whether or not, the rivers of Georgia, which flow from the mountains to the ocean, are large enough and susceptible of internal navigation, to answer all our domestic purposes ? Second, whether the products of the country, are of such an increasing value, as to justify the expenditure of immense sums, either on rail roads or canals, exclusively to benefit one part of the state, at the expence of all the rest, consequently, laying the citizen unconnected with this interest, under contribution to answer this particular purpose. The map of the state presents, in bold relief, the river Altamaha and its tributary streams, as the natural channel, through which the commerce of central Georgia ought rightfully to flow : running through the middle of the state : being equidistant, from the Savannah river one side, and the Chattahoochee on the other.—It must be conceded that every principle of justice dictates, that the trade of the adjacent country, ought not to be withdrawn from this central channel : that it ought not to be forced, or deluded by extraneous considerations, to an



extreme corner of the state, solely because a location had been made there at the first settlement of the country: besides, it is now universally admitted, that the more you shorten the land carriage to that by water conveyance, in the same degree you diminish the disbursement and cheapen the transportation to the ocean, and consequently, the interest of the grower of the raw material, as well as the consumer of foreign merchandize, is benefitted.

Again, on a reference to the map, it appears, that Milledgeville and Macon are situated at the head of the navigation of two of these streams, and it is also well known, that these towns collect nearly half the cotton made in the state—that a considerable population is supplied with foreign imports, through them, at a great economical saving, in comparison to a conveyance by land. At these places it is only to embark the raw material, and the descending stream, wafts it in sight of the sea; while manual labor in pole-boats, or by the agency of steam, the resistance of the same current is overcome, in transporting to the interior, merchandize, and especially, the bulky article of salt, one of first necessity. It is through these rivers that a large proportion of these bulky articles are transported, and as an instance of the capacity of both, large steam boats have ascended to Milledgeville, and last winter, the *Pendleton*, carrying 700 bales, descended from Macon.

The committee challenge contradiction to the facts here stated, and if true, carry along with them the irresistible conviction, that the centre of the state, possesses already, an advantageous water channel, adequate to all its wants. This being a solemn truth, can any pretend to insult the sober judgment of our citizens, by asserting the deficiency of natural channels, as a reason for creating artificial ones: whence then this parade about Internal Improvement? whence the necessity of Conventions assembled to meet in grave consultation, to unite interests obviously tied together by a rope of sand, while sectional jealousies demonstrate that human efforts, which contravene the works of God, should sink under their own imbecility? Why then the necessity of drawing on the Treasury to make canals or rail roads, which can never realize the proposed end. Ought not one abortive attempt, which has cost the state already, the enormous sum of ninety-four thousand dollars, say the Savannah and Ogeechee Canal, open the eyes of the people of Georgia? May it not be asked, if the money in the Treasury is not common property, and ought it not, in strict justice, to be laid out for the common good; but certainly not squandered, in an effort to build up one city in the state, at the expense of all the rest. Sooner than such a system should be adopted, rather let the public treasury be equally divided among our citizens, and each do what he pleases with his own.

From this summary view, is it not evident that the Altamaha in the centre, and the Savannah and Chattahoochee rivers, (both navigable) on either side, furnishes a convenient, safe and cheap mode of conveyance for all the purposes of commerce, and that it would

be contrary to every principle of equity or policy, to endeavour by Legislative enactments, to violate, not only the interest of a large portion of the community, but the laws of nature.

That species of Internal Improvement, best adapted to the wants of the interior, ought to be resorted to, and which is to make good roads along the sides of the navigable rivers above alluded to, so as to facilitate the land carriage in seasons of drought; next to lay out and make new roads, from all the heads of boating navigation, leading into the rich of fertile lands of the Westward.

Another subject connected with this inquiry has been submitted: your committee alludes to that, whether there is a competent site for a commercial depot, at the foot of this great river; and they cannot illustrate the fact better, than by recalling to the consideration of the Senate, part of a report, which was presented on this identical question, at the last session, which is as follows:—  
 “Whether the city and port of Darien, at the foot of the Altamaha, does possess all the advantages required for a commercial city. Facts are stubborn things, let them speak for themselves.—  
 The city of Darien stands on a high, dry, and commanding bluff, on the North side of the river and about 12 miles distant from the Ocean, with a good navigable river leading from one to the other. Doboy Bar, the inlet from the sea, has on it, at low water 11 feet, and at spring tides, over 18 feet, and vessels drawing 16 feet water have gone safe over it. Here it is worthy of remark, that this bar, is equal in point of depth of water, to either Charleston or New Orleans, both of which are considerable commercial cities.

Having thus established the capacity of Darien, as a commercial depot, it must become the duty of the committee to state, as a demonstrable truth, that a very large portion of the state appears, geographically connected with Darien; on a reference again to the map, we discover that there are thirty-seven counties, many immediately on, or contiguous to these three rivers, or from interest and particular circumstances, connected with the future prosperity of Darien, whenever flourishing, as a seaport; consequently, in point of territorial affinity, she has strong and powerful claims on the patronage of the Legislature: Further, to do but justice and strengthen these claims, additional facts present themselves, which shall be barely stated, and every one left to draw his own inferences. The last season, between 60 and 70,000 bales of cotton descended those three rivers, and passed Darien coastwise to other ports; while on the other hand, a vast quantity of foreign merchandize ascended the river from Darien for the supply of the interior, among which the bulky article of salt, made one item, for the exclusive supply of an immense back country. Milledgeville, Macon and other contiguous places, derived great advantages from the water conveyance. The disbursement on the extra transit of cotton alone, cost the upland Planter upwards of \$35,000; and on merchandize brought to Darien from other ports, to ascend the ri-

ver, the expense is about the same, say \$35,000, odd making an actual charge against the producer and consume of from 60 to \$70,000, to this amount must be added, the disbursements on a large volume of produce, consisting of Rice, Sea Island cotton and Sugar, grown in the vicinity of Darien; and to the southward of it, which, in sending abroad in search of a purchaser, there is from 5 to 25 per cent paid: so that there is no doubt, but the agriculturalists of the large section of country here alluded to, with the consumers, are laid under a contribution of at least \$100,000, for want of mercantile operations being carried on at the foot of the Altamaha.

One instance alone shall be cited, to show among others, the correct statement of facts which are connected with this subject.

The messrs. Young's, the last winter, loaded two ships at Darien, one carried 1000, and the other 1500 bags of cotton; they both went over Doboy inlet, and arrived safe at Liverpool. Now where two vessels of the size of those could load and navigate, others may also do the same. From the preceding view of this subject, it may be fairly inferred, that once the locality of Darien is known and appreciated, it must become the mart for the trade of the up country, and the place from whence all the cotton, and other products from the interior, will be exported, as well as the Sea Island cotton, rice, sugar, lumber, stock and bread stuffs of the adjacent lands; under the impression of the truths here delineated, your committee beg leave to recommend the following resolutions:

*Be it resolved by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is resolved by the authority of the same, that the importance of the river Altamaha, as a means of transporting the products of a very large tract of country, amounting to nearly half the state, to a market, and furnishing foreign supplies, demand the special attention of the Legislature.*

*Be it further resolved by the authority aforesaid, that it appears that the city of Darien, at the foot of the river Altamaha, possesses from nature, ample facilities for a commercial city, and one which it is the interest of the state to patronize,*

Which having been read,

It was moved to agree to the same; and on the question of agreeing thereto being put,

The yeas and nays were required to be recorded, and it was decided in the negative.

The yeas are 22—the nays are 25.

Those in the affirmative are, messrs.

Anderson	Echols of Walton	Parrish
Black	Ector	Smith
Bowen	Everett	Thomas of Appling
Burch	Fullwood	Ware
Cargille	Hall	Wofford
Cleveland	Hawthorn]	Wood
Dunagan	Henly	Wooten
Echols of Coweta		

Those in the negative are, messrs.

Avery	Devereux	Nisbet
Baker	Groves	Ray
Boykin	Harlow	Sheffield
Branham	Holloway	Stapleton
Brown of Camden	Loyall	St. George
Brown of Monroe	Mealing	White ]
Cone	Mercer	Williams
Coxe	Mitchell	Woolfolk
Daniell		

The following message was received from the Governor, by Mr. Wellborn, his Secretary :

The following bills which originated in the Senate have been assented to, and signed by the Governor, viz :

An act to prohibit the practice of horse-racing on the public highways in the county of Chatham.

An act to incorporate a Banking Company in the town of Hawkinsville.

An act prescribing the manner of taking testimony, in cases where any person intends contesting the seat of any member, returned as elected a Senator or Representative of the Legislature of this State.

Ordered, that the committee on Enrolment carry said acts to the Secretary of State's office, and see the great seal of state, affixed thereto.

The following communication was received from the House of Representatives by Mr. Dawson, their clerk :

The House of Representatives have passed the following bills, of Senate :

A bill to authorise the commissioners of the town of Columbus to establish a Fire Company.

A bill to add a certain lot of land in the county of Randolph, to the county of Stewart.

A bill to establish three election districts in the county of Baker.

A bill to incorporate the town of Franklin in the county of Troup, and to authorise the Trustees of Franklin Academy, to erect their Academy building on lot No. 283, in the 5th district of said county.

A bill to alter and change the name of Mary Davenport to that of Mary Queen.

A bill to vest a certain lot in the town of Macon in the Episcopal Church thereof, and to repeal a part of the 5th section of an act entitled an act to amend the several acts for the incorporation and government of the town of Macon, and to vest a certain lot in Macon in the Episcopal Church thereof, &c.

A bill to alter and amend the sixth section of an act entitled an act to sell and dispose of the State's interest in lots of land which have been or may hereafter be condemned as fraudulently drawn in the counties of Lee, Muscogee, &c. &c.

A bill to establish an additional election district in the county of Rabun.

A bill to authorise Daniel McClod to establish a ferry across the Chattahoochee river on his own land.

A bill to separate and divorce Rebecca T. Warner and Leonard T. Warner, her husband.

A bill to alter and amend an act passed on the 22d December, 1828, so far as respects the poor school fund of the counties of Irwin and Telfair.

A bill to incorporate the town of the Thomasville, in the county of Thomas, and appoint commissioners for the same.

A bill to compensate Justices of the Peace of Telfair county, in certain cases.

A bill to make permanent the site of the public buildings in the county of Randolph, at the town of Cuthbert, and to incorporate the same.

A bill to compel county officers holding public monies, to keep a book of record of the receipts and expenditures of the same.

A bill to add that part of the funds heretofore set apart for the support of county Academies, to the poor school fund, so far as respects the county of Crawford.

A bill to authorise the Governor to issue a grant to the Roman Catholic Church of St. Philip and St. James, for a lot in the town of Columbus, for religious purposes.

A bill to repeal the several acts, granting and extending the charter of incorporation to the Ogeechee Navigation Company.

A bill to remove obstructions in the streets of the town of Petersburg in this state, and to keep open the same.

A bill to authorize the Judge of the Court of Common Pleas and of Oyer and Terminer of the city of Savannah, to hold special or extraordinary courts, for the summary trial of causes therein enumerated, and to empower the Mayor of the city of Savannah, also, to hold such special or extraordinary courts, and to regulate seamen or mariners, and to prevent them from being harbored or running in debt.

A bill to alter and amend the 2d section of an act to make permanent the public site in the county of Carroll, to name, incorporate and appoint, commissioners for the same, and to establish an election district in said county.

A bill to divide the county of Lee, and to form a new county to be called Sumpter.

A bill to regulate the town of Jefferson in the county of Camden.

A bill for the relief of John Head, Sen. and John Head, Jun. and others.

A bill to authorise William Smith, Trustee of the poor school fund of Lowndes county, to loan out the said fund, and to collect any and all of the said fund that is already due, loaned out or otherwise due, on certain conditions.

A bill to authorise Joseph Collins, Jr. of Tattnall county, to construct a mill-dam across, the Ohoopie river upon his own land.

A bill to compel the Justices of the Peace in the 535th district of the Georgia Militia, in the county of Dooley, to hold their courts together, and to declare what penalty shall attach in case the said Justices refuse so to act together.

A bill to amend an act entitled an act to incorporate the county Academy in the town of Greenville, with other Academies, and to appoint Trustees for the same, so far as to appoint two additional Trustees for said Academy at Greenville in Meriwether county, also to appoint additional trustees for Randolph county.

A bill to compel persons to serve as commissioners of public roads in the county of Chatham, who may be appointed hereafter in conformity with the road laws now of force in said county.

A bill to make null and void nll contracts in writing or otherwise, made and entered into between party or parties plaintiff or defendants and attorney or attornies at law, where the said attorney or attornies shall fail to attend to the suit or suits which he or they contracted to do, until the rendition of a judgment.

A bill to change the names of certain persons therein named and to legitimatize the same, also to change the name of Elisha Jarrel to that of Elisha Wilkinson.

A bill to compel the clerks of the Inferior courts of the different counties in this state, to claim estrayed property when levied on by executions in certain cases.

A bill to incorporate the Oakmulgee Academy in Talbot county, and appoint trustees for the same.

A bill to regulate slaves in the town of Milledgeville, and to punish their owners or managers in certain cases.

A bill to repeal an act passed the 24th Dec. 1825, to add the Academic funds of the county of Telfair, to the poor school funds of said county.

A bill to organize a volunteer company of Cavalry to be known and incorporated under the name of the Glynn county Hussars, and to supply the same with arms.

A bill to authorise the payment to the Trustees of the Crawford county Academy of all arrears or dividends now due, or to which

said institution may be entitled, and to provide for the payment to the same, of all dividends that may hereafter be declared in favor thereof.

The House of Representatives have agreed to a resolution, requiring, that each Senator and Representative, be furnished with a copy of the Laws and Journals, each.

And to a resolution in relation to Everett Hamilton Pierce,  
To which they desire concurrence.

The House have passed the following bills of Senate, to wit :

The bill to reduce the fees on head right grants, with amendments by way of substitute.

The bill for the relief of Augustin Harris, with amendments.

The bill making all cases returned at the last Superior Court for November term, in the county of Thomas, stand for trial at the next Superior court for said county, with amendments.

The bill to amend an act entitled an act to provide for the improvement for the improvement of the roads and rivers of this State, passed Dec. 18th, 1829.

The bill to repeal the 4th section of an act passed 21st Dec. 1830, to appoint eleven additional Trustees, &c.

The House has agreed to the amendments made by Senate to the following bills of the House :

The bill to authorise the Justices of the Inferior Court of Madison county, to loan out the county funds.

A bill to incorporate certain Academies, and to appoint Trustees for the same.

The bill to alter and amend the road laws so far as respects the county of Emanuel.

The bill to alter the time of holding courts in the Southern circuit.

And the bill to exempt from road duty on certain conditions all men slaves on the Island of St. Catharine.

The House has disagreed to the amendments of Senate to the bill of the House, to prevent the assemblage of negroes and free persons of colour, and request the Senate to recede.

The resolutions contained in the foregoing message, were severally read and concurred in.

The amendments made by the House to the bills of Senate, mentioned in said message, were agreed to.

On motion of Mr. Nisbet,

The Senate adhered to its amendments to the bill of the House, to prevent the assemblage of negroes and free persons of color &c.

The bill of the House of Representatives, to alter and amend the several acts passed to prevent obstructions to the free passage of fish in the Oakmulgee river and its branches, passed in the years 1821, '24 and '29 ; also for the better regulation of fishing with seines in the said river, and its branches,

Was read the third time, amended and passed.

And the bill of the House of Representatives, granting mill-race privilege to certain persons therein mentioned,

Was also read the third time, amended and passed.

The Senate resolved itself into committee of the whole, Mr. Echols of Walton in the chair, on the bill of the House of Representatives to alter and amend an act passed the 22d Dec. 1830, to provide for the temporary disposal of the improvements and possessions, purchased from Cherokee Indians and residents ; and having spent some time therein, the President resumed the chair, and

The bill was reported without amendment.

The Senate took up and agreed to the report ; the bill was read the third time and passed.

The bill of the House of Representatives to incorporate the Trustees of the Masonic Hall in the town of Milledgeville ; and

The bill to alter and amend an act to define the liability of securities on appeal, on stay of execution and for the protection of bail on recognizance, bond, note or other contract, passed the 20th Dec. 1826,

Were read the third time and passed.—and

The bill to impose, levy and collect a tax for the political year 1832, on real and personal property, and to inflict penalties for neglecting or failing to comply with the same,

Was read the third time, amended and passed.

The Senate took up and concurred in the report from the House of Representatives, of the joint Military committee, on the several communications from the present and late Governors.

The Senate resolved itself into a committee of the whole, Mr. Henly in the chair, on the bill of the House of Representatives, to appropriate monies for the support of Government, for the political year 1832, ; and having spent some time therein, the President resumed the chair, and

The bill was reported with amendment.

The Senate took up and agreed to the report ; the bill was read the third time and passed



On motion by Mr. Towns,

*Resolved*, that his Excellency the Governor, be, and he is hereby requested to cause to be constructed, under the superintendence of the Secretary of Senate, at the Penitentiary, such cases for the records and papers of the office of the Secretary, and also such tables, as may be necessary for the convenience thereof.

On motion by Mr. Echols of Walton,

A committee was appointed consisting of Messrs. Echols of Walton, Towns and Wofford, to join such as may be appointed by the House of Representatives, to wait upon the Governor, and inform him that the General Assembly is now ready to adjourn *sine die*, and to ascertain if he has any further communication to lay before it.

A motion was made by Mr. Daniell, to take up the reconsidered bill of the House of Representatives, "to alter and amend the act incorporating the Savannah, Ogeechee and Altamaha Canal Company, and for other purposes."

The President decided that the motion was not in order.

Whereupon,

Mr. Daniell appealed from the decision,

And required the yeas and nays to be recorded thereupon.

For sustaining, the yeas are 24—against it 23.

Those in the affirmative are, messrs.

Anderson	Echols of Coweta	Singleton
Black	Echols of Walton	Smith
Blackstone	Ector	Swain
Bowen	Groves	Towns
Clayton	Hall	Ware
Cleveland	Hawthorn	Wofford
Cone	Parrish	Wood
Dunagan	Sheffield	Wooten

Those in the negative are, messrs

Baber	Harlow	Stapleton
Boykin	Hines	St. George
Branham	Holloway	Thomas of Appling
Brown of Camden	Loyall	Waldhauer
Brown of Monroe	McRae	White
Coxe	Mercer	Williams
Daniell	Mitchell	Woolfolk
Devereux	Nisbet	

The Senate adjourned until 3 o'clock, P. M

*SATURDAY, 3 o'clock, P. M.*

The following message was received from the House of Representatives by Mr. Dawson, their Clerk:

The House has concurred in the following reports and resolutions of Senate, viz :

The report and resolution of the committee on the Judiciary in relation to the citation of the Supreme court in the case of Worcester and Butler, unanimously.

In the resolution for the relief of Achols Daniel.

In the resolution authorizing the Governor to employ an Engineer to examine and report to the next General Assembly, upon the practicability and probable expense of rendering the Chattahoochee river navigable from West Point to Columbus.

In the resolution authorizing the Governor to send a certain number of Prince's Digest and the Georgia Justice, with the Laws and Journals, to the county of Telfair.

Unanimously in the report and resolutions in relation to the removal of white persons from the lands within the limits of Georgia, in the occupancy of the Cherokee Indians.

In the report and resolution of the committee on Finance, on the report of Joseph W Jackson, State's Agent, in reference to the actings and doings of the commissioners of Pilotage on the Savannah river.

In the resolutions relative to surveyors of Districts in the Cherokee territory.

In the resolution relative to sending certain copies of Prince's Digest and the Georgia Justice to the counties of Dooley, Tattual, Montgomery and Henry.

In the report of the committee on Agriculture and Internal Improvement, upon the subject of the navigation of the Ichawanotch-away creek, in the county of Baker.

In the resolution directing the Governor to offer a reward of \$5000, for the apprehension, &c. of the editor or publisher of the Liberator.

In the report of the committee on Finance, on the reports of the Treasurer and Comptroller General.

In the report and resolutions in relation to the presentation of a Map and Atlas from the State of New-York.

In the report of the committee on Education and Free Schools, with an amendment.

In the report and resolution of the committee of Agriculture and Internal Improvement, on the report of Stephen F. Miller, States' Agent, to settle with the commissioners of the Oconee river, below Milledgeville.

In the report of the committee on the Judiciary, in relation to the veto of the late Governor to the bill of the last session, respecting the internal police of the Penitentiary.

In the report of the committee on the memorial of David Shelton, Admr. of Thomas River.

In the resolution authorizing the Governor to send certain copies of Francis Diggs, and the Georgia Justice to Rabun county.

In the resolution in relation to the Portraits and ornamental painting in the State-house.

In the report of the committee on Finance, on the subject of the conduct of John Kelly, commissioner of the locust stake road, &c.

In the report and resolution in relation to the making a new Register of the names of fortunate drawers, in the county of Irwin, Early, Walton, Gwinnett, Hall, Habersham and Rabun.

In the report and resolution in relation to the bond of Joseph V. Bevan.

In the report of the committee on the subject of the reception of the Laws of Indiana.

In the various reports of the committee on banks upon the reports of the condition of the different Banks in this State.

They have agreed to the amendment made by the Senate to the bill of the House, granting mill-race privileges to certain persons therein named.

And to the amendment made by Senate to the bill to impose, levy, and collect a tax for the political year 1832, &c.

And to the amendment to the bill to alter and amend the several acts passed, to prevent obstructions to the passage of fish in the Ocmulgee river and its branches.

And to the amendment made to the bill of the House, to authorize the Justices of the Inferior court of Madison county, to loan out the county funds at interest.

And to the amendments, made by Senate to the following bills of the House, viz :

The bill to incorporate certain academies therein named, and to appoint trustees for the same.

The bill to alter and amend the road laws, so far as respects the county of Emanuel.

The bill to exempt from road duty all male slaves on the Island of St. Catharine. And

The bill to alter the times of holding some of the Superior courts of the Southern circuit; and to the amendments to the appropriation bill, exceptas concerns Evans Shannon.

And they have concurred in the resolution of the Senate, authorizing the Secretary of Senate to have cases made for the safe keeping of the Records and papers of his office.

The Senate took up said message, and concurred in the amendment made by the House to the report of the joint committee on Public Education and Free Schools.

§ The Senate, on motion,  
 Receded from its amendment to the appropriation bill, making provision for Evans Shannon.

The Senate adjourned until 7 o'clock, P M.

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*SATURDAY, 7 o'clock, P M.*

Mr. Boykin from the committee appointed to adjust the accounts of the members of the Senate, reported a warrant on the Treasury for the same,

Which was received and signed by the President.

Mr. Daneill submitted the following preamble and resolution :

Whereas, the presiding officer of the Senate, this day decided that any matter re-considered by this body, could not consistently, with the rules of this House, be taken into consideration on the same day on which it was reconsidered. And, whereas, upon an appeal from said decision, the Chair was sustained by a majority of this body present at the time ; and whereas, there is no such rule ; and whereas, there can be no propriety in a decision which is in violation of the usages of this body, unless the same be founded in justice and propriety ; and whereas, it has been the habit and custom of the Senate in similar cases, to act upon matters on the same day in which the same have been reconsidered:

And whereas, the refusal of the senate this day to act upon a bill entitled an act to alter & amend the act incorporating the Savannah, Ogeechee and Altamaha Canal Company, and for other purposes, in consequence of the reputed rule (which in fact does not exist) that this House cannot act on any matter the day on which it has been reconsidered, amounts to a refusal to place the passage of said bill upon its merits ; and whereas, at the time this body refused to enter into the consideration of the said bill, (which was between the hours of one and two o'clock, P M.) there was no other matter upon which this body could act:

And whereas, every portion of the good citizens of this State, have a right to a full and fair hearing in all cases in which they are concerned, and which have been presented to the consideration of this body:

*Be it therefore resolved*, that the decision made this day, by this body, not to enter into the consideration of the merits of the above recited bill, is unjust and oppressive to those concerned—is in violation of the rules of this House, & was unnecessary to a consideration of the merits of the case, upon which alone the passage of the bill should be placed.

Which, having been read, were agreed to; and

The yeas and nays required to be recorded thereupon.

The yeas are 24—the nays are 21.

Those in the affirmative are, messrs.

Baber	Everett	Nisbet
Boykin	Harlow	Ray
Branham	Hines	St. George
Brown of Camden	Holloway	Thomas of Appling
Brown of Mouroe	Loyall	Waldhauer
Coxe	McRae	White
Daniell	Mealing	Williams
Devereux	Mitchell	Woolfolk

Those in the negative are, messrs.

Anderson	Cone	Hawthorn
Black	Echols of Coweta	Mercer
Blackstone	Echols of Walton	Parrish
Rowen	Ector	Smith
Burch	Faris	Ware
Clayton	Groves	Wofford
Cleveland	Hall	Wood

Mr. Echols of Walton, from the committee appointed to wait on his Excellency the Governor, and inform him that both branches of the Legislature are now ready to adjourn, and inquire whether he has any further communications to lay before them, reported—

That the committee had performed the duty assigned them, and received for answer, that he has no further communication to lay before the General Assembly.

Mr. Brown of Camden, Chairman of the committee on Enrolment, reported as duly enrolled and signed by the Speaker of the House of Representatives, the following acts:

An act to incorporate a meeting house near Hardwick, in the county of Bryan.

An act to amend an act entitled an act to incorporate the county Academy, in the town of Greenville, in the county of Meriwether, and to appoint trustees for the same, passed December 22d, 1928,

so far as to appoint two additional trustees for said Academy, and also to appoint additional trustees for Randolph county Academy.

An act to incorporate the Oak Ridge Academy in the county of Talbot, and to appoint trustees for the same.

An act to add a part of Carroll county to Heard county.

An act to regulate the town of Jefferson, in the county of Camden.

An act to separate Rebecca T. Warner and Leonard T. Warner, her husband.

An act to alter and change the name of Mary Devenport, to that of Mary Queen.

An act to alter and amend the 2d section of an act to make permanent the public site in the county of Carroll, to name, incorporate and appoint commissioners for the same, passed 22d of December, 1829, and to establish an election district in said county.

An act to compel county officers holding public monies, to keep a book of Record of the receipts and expenditures of the same.

An act to make permanent the site of the public buildings in the county of Randolph, at the town of Cuthbert, and to incorporate the same.

An act to vest a certain lot in the town of Macon, in the Episcopal church thereof, and to repeal a part of the 5th section of an act entitled an act to amend the several acts for the incorporation and government of the town of Macon, and to vest a lot in Macon, in the Episcopal church thereof, passed the 22d day of Dec. 1836.

An act to remove obstructions in the streets of the town of Petersburg, in this State, and to keep open the same.

An act to organize a volunteer company of cavalry, to be known and incorporated under the name of the Glynn County Hussars, and to supply the same with arms.

An act to provide for the payment of one of the presiding Magistrates of each election district in the county of Telfair, for attending at the Court-House of said county, on the day after each election has been held for a Governor, Senator and Representatives of this State, and for the purpose of consolidating all returns of such elections.

An act to authorize Joseph Collins, junior, of Tattnall county, to build a mill dam across the Ochopee river, upon his own land.

An act to authorize the Judge of the court of Common Pleas and Oyer and Terminer for the city of Savannah, to hold Special or Extraordinary courts for the summary trial of cases therein enumerated, and to empower the Mayor of the city of Savannah, also to hold such special or extraordinary courts, and to regulate seamen and marines, and to prevent them from being harbored or running in debt.

An act to establish an additional election district in the county of Rabun.

An act to compel the Justices of the Peace of the 535th district of the Georgia Militia in the county of Dooly, and their successors in office, to preside together, and to vacate their offices for refusing to do the same.

An act to regulate slaves in the town of Milledgeville, and to punish their owners or managers in certain cases.

An act to alter and amend an act passed on the 22d day of Dec. 1823, so far as respects the poor school fund of the counties of Irwin and Telfair.

An act to amend in part, the 9th section of an act to establish a Bank at Milledgeville, to be called and known by the name and style of the Central Bank of Georgia, to appropriate monies, bank stock and other property to the said Bank, and to incorporate the same so far as regards the salary of the Cashier of said bank.

An act to authorize and compel John R. M. Neal, Treasurer of Randolph county in the year 1830, to pay over to the Justices of the Inferior court of Stewart county, any money which he held or now holds, arising from the sale of lots in the town of Lumpkin, that was not otherwise disposed of previous to the division of Randolph county.

An act to separate and divorce Nathaniel Perritt and his wife, Sally Perritt.

An act to compel clerks of the Inferior courts of the different counties of this State, to claim estrays when levied on by executions.

An act to incorporate the town of Thomasville, in the county of Thomas, and to appoint commissioners for the same.

An act to regulate the transportation of Gunpowder, and to authorize the forfeiture of such as shall be transported in violation of the provisions of this act.

An act amendatory of the act passed the 20th December, 1830, which vests the appointment of patrols in the Justices of the Peace, so as to allow them compensation for certain services, and for other purposes, so far as relates to the counties of Liberty, Glynn, Bryan, Morgan, McIntosh, Effingham, Camden and Chatham, with the exception of the city of Savannah and the Hamlets thereof.

An act to make permanent the site of the public buildings in and for the county of Heard, at the town of Franklin, and to incorporate the same.

An act to repeal an act passed the 24th December, 1825, to add the Academic funds of the county of Telfair, to the poor school funds of said county.

An act to alter and amend an act to regulate the licensing of Physicians in this State, passed the 24th December, 1825.

An act to permit John Finch, of Monroe county, to continue his mill-dam across a part of the Ogeechee river.

An act to change the name of certain persons therein named, and to legitimatize the same; also to change the name of Elisha Jarrel to that of Elisha Wilkerson.

An act for the relief of John Herd, sen., Nathan McLeroy, Moses Butts and James Herd, jr.

An act to add that part of the funds heretofore set apart for the support of county Academies, to the poor school fund, so far as respects the county of Crawford.

An act to repeal the several acts passed, granting and extending the charter of incorporation, to the Ogeechee Navigation Company.

An act to authorise the corporation of the town of Columbus to establish a Fire Company, and to exempt the members of said company from certain duties therein specified.

An act to incorporate the Lancasterian society of Columbus.

An act to alter and amend the 5th section of an act entitled "an act to sell and dispose of the State's interest in certain Tracts of Land, which have been, or may hereafter be condemned as fraudulent, situate in the counties of Lee, Muscogee, Marion, Harris, Talbot, Troup, Meriwether, Coweta and Carroll, passed the 20th day of Dec. 1828.

An act to lay out the Gold Region in the lands at present in the occupancy of the Cherokee Indians, into small lots, and dispose of the same by separate lottery.

An act to amend an act entitled an act to charter the Augusta Insurance and Banking Company, passed 25th Dec. 1827.

An act to amend the Judiciary law, of 1799, in relation to bail, and also to amend an act entitled an act to amend the Judiciary law of this state, passed the 15th day of Feb. in the year 1809, so far as to authorise the issuing of bail process in certain cases, passed the 5th day of Nov. 1820, so as to authorise Agents, Attornies in fact or at law, to hold to bail in all civil cases.

An act defining the liability of purchasers of real and personal estate, at Executors, Administrators, Guardians and Sheriff's sales, when they refuse or fail to comply with the terms of said sales.

An act to separate and divorce Elizabeth Myers and John Myers, her husband.

An act to incorporate the Baptist Church of Holly Spring, on Rocky creek in the county of Laurens, and the Baptist Church at Mount Zion and Bethel, in Hancock county, and appoint Trustees for the same.

An act to amend the several acts passed in relation to the powers and privileges of the corporation of the town of Athens.

An act to add a part of Oglethorpe county to the county of Madison.

An act to authorise Andrew P. Woolly to keep up his mill dam across the Chestnut river in the county of Hall.

An act to authorise John Shelby, Frederick Bridgman and Daniel B. Searey, to practice Physic in this state.

An act to incorporate the Insurance Bank of Columbus.

An act to authorize the building of a meeting house by the Baptist denomination worshipping at a place known by the name of Double Branches in the county of Lincoln, and to make permanent the location of the same on that spot of land heretofore set apart by one Jas. Ware, of said county, &c to secure the right of religious worship in said building to said denomination, so far as not to infringe on the rights of other religious denominations, who may hereafter wish to build a house of religious worship at said place, and to appoint commissioners for the same;—also

To incorporate the Presbyterian Church of Newnan, Coweta county, under the name and style of "the Presbyterian Church of the town of Newnan;"—also



To incorporate the Methodist Episcopal Church, of Newnan, Coweta county, under the name and style of "the Trustees of Newnan Methodist Episcopal Church ;—also

To appoint Trustees for the Baptist Church in the town of Cuthbert, Randolph county, with certain powers.

An act to appropriate moneys for the support of Government for the political year 1832.

An act to impose, levy and collect a tax for the political year 1832, on real and personal property, and to inflict penalties for neglecting or failing to comply with the same.

An act to alter the times of holding the Superior courts in some of the counties in the Southern circuit.

An act for the relief of Edmond Pucket.

An act to authorise the Intendant and Commissioners of the town of Columbus to lay off and lease water lots in said town, below Thomas street, for any number of years not exceeding twenty, for wharves only.

An act to make permanent the site of public buildings in the town of Lumpkin, in the county of Stewart.

An act to place a part of the public lands on a road to commence on the turnpike road leading from Augusta to Washington, near Wrightsborough, and pass through Wrightsborough, Crawfordsville, Greensborough, Madison, Covington, and on to Decatur, for the improvement of the same.

An act to alter and amend the 4th sec. of an act assented to 22d Dec. 1830, entitled an act to authorise the survey and disposition of the lands within the limits of Georgia, in the occupancy of the Cherokee tribe of Indians, and all other unlocated lands within the limits of said state claimed as Creek lands, and to authorise the Governor to call out a military force to protect Surveyors in the discharge of their duties, and to provide for the punishment of persons who may prevent or attempt to prevent any Surveyor from performing his duties as pointed out by this act ; or who shall wilfully cut down and deface any marked tree, or remove any land mark which may be made in pursuance of this act ; and to protect the Indians in the peaceable possession of their improvements, and of the lots on which the same may be situated.

An act to regulate slaves in the counties of Burke, Jefferson and Scriven, and punish their owners or managers in certain cases.

An act to loan to the town of Columbus, a sum of money for the construction of a bridge across the Chattahoochee river at said town, to provide for the payment of said loan, to make permanent said bridge, and for other purposes.

An act to lay out and organize a new county to be composed of all the land lying west of the Chattahoochee river and North of Carroll county line, within the limits of Georgia.

An act to prevent itinerant and unauthorised persons from locating themselves on or near the river Savannah, under the pretence of fishing, and to prevent obstructions to the passage of fish up the said river, and further to prohibit trading with slaves, and to extend the powers of civil officers and patrols.

An act to authorise the Justices of the Inferior courts of Madison, Jasper, Burke, Walton, Butts and Scriven counties, to loan out their county funds at interest.

An act to reduce the fees on head right grants, and to repeal all laws militating against the same.

An act for the relief of Augustin Harris.

An act to alter and fix the time of holding the Superior courts for the county of Muscogee, and to make all cases returned at the last Superior court for November term, in the county of Thomas, stand for trial at the next Superior court for said county.

An act to divide the county of Lee, and to form a new county to be called Sumpter.

An act to repeal the fourth section of an act passed the 21st day of December, 1830, to appoint eleven additional Trustees for the University of Georgia, and to provide a permanent additional fund for the support of the same, and declare the number of Trustees which shall be necessary to form a board, and to authorise a loan of ten thousand dollars to the board of Trustees of said University, and to provide for the education of certain poor children therein mentioned.

An act granting mill-race privileges to certain persons therein mentioned.

An act to authorise John Bailey and Robert Collins of the county of Bibb, to make and construct a causeway or turnpike road on their own land, through the Tobesofkee swamp, and to charge and receive toll at the same, and to annul an order of the Inferior court of the county aforesaid, establishing a bridge over the Tobesofkee creek, on the road leading from the town of Macon to Perry, in the county of Houston, with certain provisions.

Which were severally signed by the President, and attested by the Secretary.

Ordered, that the committee on Enrolment carry said acts to the Governor, for his assent.

On motion by Mr. Daniell, that the Senate do now take up the reconsidered bill to alter and amend the act incorporating the Savannah, Ogeechee and Altamaha canal company, &c.; The President expressed himself that his opinion with regard to the motion, not being in order, had undergone no change, and decided again that it was out of order:

Whereupon, Mr. Daniell moved an appeal from the decision; and

The yeas and nays having been required to be recorded, the decision of the Chair was overruled.

For sustaining the decision,

The yeas are 18—against it 26.

Those in the affirmative are, messrs

Anderson	Cone	Hawthorn
Blackstone	Echols of Coweta	Parrish
Bowen	Echols of Walton	Smith
Burch	Faris	Ware
Clayton	Groves	Wofford
Cleveland	Hall	Wood

Those in the negative are, messrs.

Baber	Everett	Nisbet
Boykin	Harlow	Ray
Branham	Hines	St. George
Brown of Camden	Holloway	Thomas of Appling
Brown of Monroe	Loyall	Waldhauer
Coxe	McRae	White
Daniell	Mealing	Williams
Devereux	Mercer	Woolfolk
Ector	Mitchell	

The Senate then went into committee of the whole, Mr. Echols of Walton, in the chair, on the said reconsidered bill of the House of Representatives, to alter & amend the act incorporating the Savannah, Ogechee and Altamaha Canal Company, and for other purposes; and having spent some time therein, the President resumed the Chair, and

The bill was reported with amendment.

The Senate took up the report; and Mr. Wofford moved to strike out the 4th section thereof, the same being in the words following :

*“ And be it further enacted, That the debt now due by the said corporation to the state of Georgia, be vested in the stock of the said corporation, and that upon the said Board of Directors of the said corporation, executing and delivering into the Central Bank of Georgia, certificates of stock in the said corporation equal in amount to the said debt at par, that the Directors of the said Bank be, & they are hereby authorized and required to deliver up the bond of the said corporation, made to secure the said debt, to the said corporation, to be cancelled.”*

And the question being put to strike out said 4th section, it was decided in the negative, and the yeas and nays required to be recorded thereupon.

The yeas are 19 -the nays 25.

Those in the affirmative are, messrs.

Anderson	Echols of Coweta	Hawthorn
Blackstone	Echols of Walton	Mealing
Bowen	Ector	Smith
Burch	Faris	Ware
Clayton	Groves	Wofford
Cleveland	Hall	Wood
Cone		

Those in the negative are, messrs.

Baber	Everett	Nisbet
Black	Harlow	Ray
Boykin	Hines	St. George
Branham	Holloway	Thomas of Appling
Brown of Camden	Loyall	Waldhauer
Brown of Monroe	McRae	White
Coxe	Mercer	Williams
Daniell	Mitchell	Woolfolk
Devereux		

Mr. Wood, then moved the following proviso :

“ And provided no further advances shall ever be called on from the State, to aid in furthering the final completion of said Canal.”

On the question of agreeing to said proposed proviso,

The yeas and nays were required, and it was decided in the affirmative.

The yeas are 19—the nays are 25.

Those in the affirmative are, messrs.

Anderson	Cone	Hall
Black	Echols of Coweta	Hawthorn
Blackstone	Echols of Walton	Smith
Bowen	Ector	Ware
Burch	Faris	Wofford
Clayton	Groves	Wood
Cleveland		

Those in the negative are, messrs.

Baber	Brown of Camden	Daniell
Boykin	Brown of Monroe	Devereux
		Everett

Harlow	Mercer	Thomas of Appling
Hines	Mitchell	Waldhauer
Holloway	Nisbet	White
Loyall	Ray	Williams
McRae	St George	Woolfolk
Mealing		

The report of the committee of the whole having been gone through, was agreed to.

The bill was then read the third time, and on its passage,

The yeas and nays were required, and

Are yeas 26—nays 17.

So the bill was passed.

Those in the affirmative are, messrs.

Baber	Deveretux	Nisbet
Boykin	Everett	Ray
Branham	Harlow	St. George
Brown of Camden	Hines	Thomas of Appling
Brown of Monroe	Holloway	Waldhauer
Burch	Loyall	White
Clayton	McRae	Williams
Coxe	Mercer	Woolfolk
Daniell	Mitchell	

Those in the negative are, messrs.

Anderson	Echols of Coweta	Mealing
Black	Echols of Walton	Smith
Blackstone	Faris	Ware
Bowen	Groves	Wofford
Cleveland	Hall	Wood
Cone	Hawthorn	

Mr. Wood, then submitted the following preamble and resolution :

Whereas, a bill relating to the Savannah and Ogeechee Canal Company, was this morning re-considered, and thereafter a motion was made to take the same up, which was objected to, as against the present rule of the House, and so the President decided, when an appeal was made from the decision of the President, but decision was sustained. The Senate adjourned until 7 o'clock, A. M. when certain resolutions were offered and carried, on which a second attempt was made to call up said bill, when the President de-

cided again, and from whose decision, there was another appeal, and carried by a majority again—the said bill was then taken up very near 9 o'clock, P. M. and just before the House was prepared to adjourn, acted on, and passed:

And whereas, many of the members have without leave, gone home, so that now there is barely a quorum, and the said bill was passed by a majority of 9 votes: and whereas, the said procedure has a tendency to carry measures, through the Senate, by a minority, against the principles of our Republican institutions, and of the most destructive character:

*Be it resolved*, That this proceeding is contrary to the fair rules of Legislation, and setting an example which may have a fatal tendency hereafter, as bringing in at the last of the session, business of vital importance to the rights of the State and the sovereignty of the people.

Which, having been read, the question of agreeing thereto, was put and decided in the negative.

The yeas and nays were required to be recorded, and  
Are yeas 17—nays 25.

Those in the affirmative are, messrs.

Black	Echols of Coweta	Parrish
Blackstone	Echols of Walton	Smith
Bowen	Ector	Ware
Clayton	Groves	Wofford
Cleveland	Hall	Wood
Cone	Hawthorn	

Those in the negative are, messrs

Baber	Everett	Nisbet
Baker	Harlow	Ray
Boykin	Hines	St. George
Branham	Holloway	Thomas of Appling
Brown of Camden	Loyall	Waldhauer
Brown of Monroe	McRae	White
Coxe	Mercer	Williams
Daniell	Mitchell	Woolfolk
Devereux		

On motion by Mr. Nisbet,

*Resolved*, That the President of the Senate, Thomas Stocks, Esq. is entitled to the thanks of the Senate, for the able, industrious and efficient manner in which he has discharged the arduous duties of the Chair, during the present session.

On motion by Mr. Nichols of Walton,

The resolution above, was amended so as to extend the complement to the Secretary of Senate.

Mr. Brown, Chairman of the committee on Enrolment, reported as duly enrolled and signed by the Speaker of the House of Representatives, the following acts:

An act to regulate and make uniform, the proceedings against bail in criminal cases.

An act to alter and fix the time to hold the Inferior court of Butts county.

An act for the relief of Joseph Salter.

An act to authorise the Justices of the Inferior court of Baldwin county, to remit a forfeiture incurred by Robert Reynolds.

An act to authorise the planters and inhabitants of Skedaway Island in the county of Chatham, to erect a bridge across Skedaway narrows, under certain restrictions herein contained.

An act to provide for the recovery of costs Justices courts in certain cases.

An act to alter and amend the road laws of this State, so far as respects the county of Deely.

An act for the relief of John Burgess, of Franklin county.

An act for the relief of Wm. R. Russell of Upson county, and for other purposes.

An act to authorise certain commissioners therein named, to raise the sum of 1500 dollars by lottery, for the purpose of building an Academy in the town of Fort Gaines.

An act to add and consolidate the Poor School and Academic fund for the county of Bryan, and for other purposes.

An act to amend and alter the oath of Bailiffs, who take charge of special and petit Jurors, and for other purposes.

An act to authorize the Sheriff of Stewart county to dispose of lot of land, No. 220, in the 23d district of originally Lee, now Stewart county.

An act to appoint commissioners to survey and lay out a public market road from Columbus on the Chattahoochee, to St. Marys, in Camden county.

An act to authorise the Justices of the Inferior court of Wilkes county, or a majority of them, to hire or purchase negroes for the improvement of roads and bridges in said county; also to authorise said court to levy an extra tax, for the purpose of carrying the same into effect.

An act to establish election districts in the several counties hereinafter named in addition to those already established at the several places therein specified, and to punish those who may attempt to violate the provisions of the same.

An act to authorize the Inferior court of Hancock county, to improve the public roads of said county.

An act to remove the undischursed funds of the Smithville Academy in Early county to the town of Fort Gaines in said county.

An act to empower the Mayor and Aldermen of the city of Savannah and Hamlets thereof, to purchase land for the erection of a Lazaretto, and to give them jurisdiction over the same.

An act amendatory of and supplemental to "an act to lay off, define and keep open the main channel of Savannah river, from Augusta to the mouth of Lightwood Log Creek, in Elbert county, so as to prevent the obstruction of the navigation, and free passage of fish therein, and to punish those who may obstruct the same, and to appoint commissioners to carry the provisions of this act into effect, and to point out the mode of their compensation, passed 22d Dec. 1829, and also the act passed 22d Dec. 1830, to amend the said recited act.

An act to alter and amend an act to incorporate the town of Monroe in the county of Walton.

An act for the relief of Daniel Gray of Upson county.

An act to alter and fix the time of holding the Superior courts in Wilkinson county.

An act to amend an act entitled an act to provide for the improvement of roads and rivers in this State, passed the 18th December, 1829

An act to amend the several acts regulating the courts of Common Pleas for the city of Augusta.

An act to authorise a lottery for the purpose of raising within a certain time, the sum of two thousand dollars, to be appropriated to the building of a bridge in the county of Hall, and keeping the same in good order, and to appoint commissioners to carry the said act into effect.

An act to apportion the Representatives among the several counties in this State, according to the sixth enumeration, in conformity to the seventh section of the first article of the Constitution.

An act to authorize the payment of certain monies to the Trustees of Laurens county, and certain other monies to the Inferior court of Laurens county, or to the Trustees of the poor school fund of said county.

An act to abolish Penitentiary Imprisonment in this State, except in certain cases, to change the mode of punishment for crimes and misdemeanors, and for other purposes.

An act to authorise the formation of a company to construct a rail road from the city of Augusta to Eatonton, and thence westward to the Chattahoochee river, with branches thereto, and to punish those who may injure the same.

An act to declare and make certain the law defining the liability of securities and endorsers of promissory notes, and other instruments.

An act to incorporate certain Academies and to appoint Trustees for the said academies and to authorise them to pay over to the Trustees of Stewart county Academy, the Academy fund coming to said county.

An act to exempt from road duty on certain conditions, all male slaves on the Island of St. Catharine.

An act to alter and amend an act entitled an act to define the liability of securities on appeal or stay of execution, and for the protection of bail on recognizance, bond, note or other contract.



An act to alter and amend an act passed the 22d day of Dec. 1830, entitled an act to provide for the temporary disposal of the improvements and possessions, purchased from the Cherokee Indians and residents.

An act to dispose of fraction No. 402 in the 4th district of formerly Baldwin, now Morgan county.

An act to amend an act entitled an act to provide for the improvement of the roads and rivers of this state, passed December 18th, 1829.

An act to make null and void all contracts made and entered into, in writing or otherwise, between party or parties plaintiff, or defendant and attorney or attorneys at law, when the attorney shall fail or neglect to attend to the suit or suits, which he or they contracted to do, in person, or by some competent attorney, until the rendition of a judgment.

An act to alter and amend the several acts passed, to prevent obstructions to the free passage of fish in the Oakmulgee river and its branches, passed in the years 1821, '24, and '29, also for the better regulation of fishing with seines in the said river and its branches.

An act to incorporate the Trustees of the Masonic Hall in the town of Milledgeville.

An act to compel persons to serve as commissioners of public roads in the county of Chatham, who may be appointed hereafter in conformity with the road laws now of force in said county.

An act to authorise and empower Daniel McLeod of Stewart county, to establish a ferry across the Chattahoochee river on his own land.

An act to authorise the payment to the Trustees of the Crawford county Academy, of all arrears or dividends now due, or to which said institution may be entitled, and to provide for the payment to the same of all dividends that may hereafter be declared in favor thereof.

An act to remove the county site of Baker county, from Byron, to lot No. 172, in the 8th district of said county, and to appoint commissioners for that purpose.

An act for the relief of Julia Ann Miller.

An act to incorporate Harmony Academy in the county of Henry, and to appoint Trustees for the same.

An act to authorise William Smith, Trustee of the poor school fund of Lowndes county, to loan out the said fund, and to collect any and all of the said fund that is already loaned out, or otherwise due, on certain conditions.

An act to add a certain lot of land in Randolph county, to the county of Stewart.

An act to authorise the Governor to issue a grant to the Roman Catholic church of St. Philip and St. James for a lot in the town of Columbus for religious purposes.

An act to incorporate the town of Franklin in the county of Troup, and to authorise the Trustees of the Franklin Academy, to erect their Academy building on lot No. 283, in the 5th district of said county.

An act to establish certain ferries therein mentioned.

An act to establish three election districts in the county of Baker.

An act to alter and amend the road laws as respects the counties of Emanuel, Pulaski, Telfair and Laurens.

An act to alter and amend the act incorporating the Savannah, Ogeechee and Altamaha Canal Company, and for other purposes.

Which acts were signed by the President of Senate and attested by the Secretary.

Ordered, that the committee on Enrolment carry said acts to the Governor for his assent.

On motion,

The Secretary was directed to inform the House of Representatives, that the Senate is now ready to adjourn *sine die*.

A message was received from the House of Representatives, by Mr. Dawson, their Clerk, informing the Senate, that the House of Representatives are ready to adjourn *sine die*.

Whereupon,

The President adjourned the Senate of the State of Georgia, *without a day*.



# RULES OF SENATE,

1831.

1. The President having taken the chair, and a quorum being present, the Journal of the preceding day shall be read, when it shall be in the power of any member, to move for a reconsideration of any matter therein contained, except such matter as has been before reconsidered. But in cases where the life of an individual is concerned, there may not be more than two reconsiderations.

2. No member shall speak to another, or otherwise interrupt the business of Senate, or read any printed paper, while the Journal of public papers is reading, or when any member is speaking in debate.

3. When any member is about to speak or deliver any matter to Senate, he shall rise from his seat and address himself to the Chair, he shall confine himself to the question under consideration, and at all times avoid personality.

4. No member shall speak more than twice in any one debate on the same day, without leave of Senate.

5. When two members rise at the same time to speak, the first that rises shall be first in order, which shall be determined by the President.

6. No motion shall be put or debated, until the same be seconded.

7. When a motion is made and seconded, it shall be reduced to writing when required by the President or any member, delivered in at the table, and read, before the same shall be debated.

8. While a question is before Senate, no motion shall be received but to adjourn—to lie on the table—to postpone indefinitely—to postpone to a day certain—to commit or to amend; which several motions shall have precedence in the order they stand here arranged. The motion for adjournment shall always be in order, and decided without debate, but the motion for adjournment a second time shall be out of order, until the question before Senate is first disposed of.

9. The previous question being moved and seconded, the question from the Chair shall be—Shall the main question be now put? And if the nays prevail, the main question shall not then be put.

10. If a question in debate contains several points, any member may have the same divided.

11. When the yeas and nays are called for by two members, each member called upon, shall (unless excused,) declare openly and aloud, his yea or nay to the question; and upon the call of the House, the members shall be taken by their names in alphabetical order, and no member shall be allowed to change his vote after the same has been pronounced by the Chair.

12. Any member intending to ask leave to bring in, or move for a committee to be appointed to report a bill, shall give at least one days notice of such intention, and the title of such bill.

13. No bill shall be committed, until it shall have been twice read, after which it may be referred to a committee.

14. When a member is called to order, he shall take his seat until the President shall have determined whether he is in order or not. Every question of order shall be decided by the President without debate; but if there is a doubt in his mind, he shall call for the sense of the Senate.

15. If a member be called to order for words spoken, the exceptionable words shall be immediately taken down in writing, that the President may be better enabled to judge of the matter.

16. When a blank is to be filled, and different sums and different days are proposed, the question shall be taken on the highest sum and most distant day first.

17. All petitions shall be numbered as they are received; and taken up and decided on in the same order as they were received.

18. No member shall absent himself from the service of Senate without leave first obtained, and in case a less number than a quorum of Senate shall convene, they are hereby authorised to send any person or persons by them authorised, for any or all absent members, as the majority of such members present shall agree, at the expense of such absent member respectively, unless such excuse for non-attendance shall be made, as the Senate, when a quorum is convened, shall judge sufficient.

19. No member shall leave his seat after adjournment, until the President shall have left the room.

20. Immediately after the reading of the Journal every morning, all notices shall be taken up, read and committees appointed thereon.

21. There shall be four standing committees of Senate appointed at the commencement of each session.—1st. Committee on Privileges and Elections—2d. On Petitions—3d. On Enrolment, and 4th. to Examine the Journals of Senate; which committees are not to consist of more than five members each. And it shall be the

duty of the committee on Privileges and Elections, to examine and report upon the certificates of elections, or other credentials of the members returned to serve; and take into their consideration, all such Petitions, and other matters touching elections and returns, as shall or may be presented or come in question and referred to them by Senate.

22. When any communication is received from the Governor, it shall be in order to take it up, as soon as the matter then under consideration is disposed of.

23. The unfinished business in which the Senate was engaged in the last preceding adjournment, shall have the preference in the order of the day, after the appointment of committees on notices, and reports of committees, and no motion or any other business shall be received until the former is disposed of.

24. No standing rule of Senate shall be altered without one days notice being given, expressing the intended alteration—nor shall any rule of senate be dispensed with, except by a vote of two-thirds of the members present.

#### THE ORDER OF THE DAY SHALL BE AS FOLLOWS :

1. Appointment of committees on notices.
2. Reports of committees.
3. Unfinished business at the last adjournment.
4. Reconsidered bills.
5. Reports of committees of the whole.
6. Bills for a third reading.
7. Bills for a second reading.
8. Bills of Senate for committee in the order they stand numbered.
9. Messages in their order from the House of Representatives.



## APPENDIX.

*A STATEMENT of the Receipts and Payments at the Treasury  
of the State of Georgia, from the 1st day of November, 1830, to  
the 31st day of October, 1831, both days inclusive.*

DR.	CASH.	
For amount received from the 1st day of November, 1830, to the 31st of October, 1831, inclusive, and placed to the credit of the aftermentioned accounts, viz :		
General Tax of 1802,	- - -	27
“ 1806,	- - -	37 18
“ 1818,	- - -	258
“ 1826,	- - -	26
“ 1828,	- - -	13 50
“ 1829,	- - -	44250 14
“ 1830,	- - -	3073 89
Vendue Tax	- - -	3403 01
Tax on Pedlers	- - -	3745
Dividend on Bank Stock	- - -	70615 50
Tax on Bank Stock	- - -	9343 52
Escheated Estates	- - -	207
Fund from fees on Grants for fractions sold under of 1827	- - -	108
“ “ “ 1822	- - -	127 50
“ “ “ 1823	- - -	92
“ For lots and reserves at Macon	- - -	54
“ Reverted lots, Baldwin, Wilkinson, &c.	- - -	85
“ Aand drawn for in 1820	- - -	4458
“ “ “ 1821	- - -	2094
“ “ “ 1827	- - -	14408
“ Macon lots	- - -	68
“ Lots fraudulently drawn	- - -	96
“ Lots in the 1st district Muscogee	- - -	12
“ Lots in Columbus	- - -	40 50
“ McIntosh Reserves	- - -	18
“ on copy Grants	- - -	172 62
“ Grants and testimonials	- - -	659
“ Sale of lots fraudulently drawn	- - -	2937 62
“ “ “ in the 1st district Muscogee	- - -	471 86
“ “ relinquished lots	- - -	279 10
“ “ lots Nos. 10 and 109	- - -	41 20
State Stock	- - -	1220 43
		162442 57
Remaining in the Treasury on 31st Oct. 1830		189539 29
		\$351981 86



<b>CR.</b>				
By amount of Governor's President's and Speaker's warrants, charged to the following accounts, viz :				
Fund for the redemption of the public debt			242	44
Appropriation for county Academies			20156	54
" " improving the roads & rivers 1831			20000	
" " the protection of the Gold Mines			10093	18
" " Legislature 1831			70391	85
" " Surveying the Cherokee lands			11381	19
" " Penitentiary 1829			5000	
" " the purchase of Negroes, &c.			4998	
Poor School Fund	-	-	24570	46
Military Fund of 1827	-	-	2209	59
Special Appropriation of 1822	-	-	1000	
" 1829	-	-	200	
" 1830	-	-	201	38
" 1831	-	-	9234	98
Civil establishment	1830	-	9837	50
" 1831	-	-	23850	
Printing Fund	1830	-	3797	26
" 1831	-	-	9989	26
Contingent Fund	1830	-	7906	47
" 1831	-	-	17486	63
Road and River Fund	1830	-	386	
			252932	64
Remaining in the Treasury on the 31st of October, 1831, viz :				
Bills of the Chartered Banks		\$86261	49	
In Stock of the Bank of the state of Georgia		10000	00	
In paper medium		2787	73	99049 22
			\$351,981	86

*Treasury Department,  
Milledgeville, 11th Nov. 1831.*

Respectfully submitted,  
HINES HOLT,  
Treasurer,

*HINES HOLT, Treasurer, in account current with the State of Georgia, for receipts and disbursements at the Treasury during the political year 1831 viz: from the 1st of November, 1830 to the 31st of October, 1831*

DR.			
For am't rec'd on the following accounts, to wit.			
General Tax of 1802,	-	-	\$27
“ 1806,	-	-	37 18
“ 1818,	-	-	258
“ 1823,	-	-	26
“ 1823,	-	-	13 50
“ 1829,	-	-	44250 14
“ 1830,	-	-	3073 89
Vendue Tax,	-	-	3403 01
Tax on Pedlers,	-	-	3745
Dividends on Bank Stock,	-	-	70615 50
Tax on Bank Stock,	-	-	9343 52
Escheated Estates,	-	-	207
Fund from fees on grants for fractions sold under Act of 1827,	-	-	108
“ 1822,	-	-	127 50
“ 1823,	-	-	92
“ for lots and reserves at Macon	-	-	54
“ reverted lots in Baldwin, Wilkinson &c	-	-	85
“ land drawn for in 1820,	-	-	4458
“ land “ 1821,	-	-	2094
“ land “ 1827,	-	-	14408
“ Macon lots	-	-	68
“ lots fraudulently drawn	-	-	96
“ lots in the 1st district of Muscogee	-	-	12
“ lots in Columbus	-	-	40 50
“ McIntosh Reserves	-	-	18
“ on Copy Grants	-	-	172 62
“ on Grants and Testimonials	-	-	659
“ sale of lots fraudulently drawn	-	-	2037 62
“ lots in the 1st district of Muscogee	-	-	471 86
“ relinquished lots	-	-	279 10
“ lots Nov. 10 and 100	-	-	41 20
State Stock	-	-	1220 43
			\$162442 57
Balance on hand on the 31st day of October, 1830,			189539 29
			\$351981 86

By am't paid to Governor's Warrants, chargeable to the following accounts, viz :				
Fund for the redemption of the Public Debt,			\$242	44
Appropriation for County Academies - -			20156	54
"          improving the roads and rivers 1831			20000	
"          for the protection of the Gold Mines			10093	18
"          for the Legislature, 1831 -			70391	85
"          for surveying the Cherokee lands			11381	19
"          for the Penitentiary, 1829 -			5000	
"          for the purchase of negroes, &c.			4998	
Poor School Fund - - -			24570	46
Military Fund of 1827 - - -			2209	50
Special Appropriation of 1822 - - -			1000	
"          "          1829 - - -			200	
"          "          1830 - - -			201	38
"          "          1831 - - -			9234	98
Civil Establishment of 1830 - - -			9837	50
"          "          1831 - - -			23850	
Printing Fund of 1830 - - -			3797	26
"          "          1831 - - -			9589	26
Contingent Fund of 1830 - - -			7906	47
"          "          1831 - - -			17486	63
Road and River Fund for 1830 - - -			386	
			\$252932	64
Amount on hand on the 31st day of October, 1831			99049	22
			\$351981	86

*Comptroller General's Office,*

*Milledgeville, Georgia, 11th Nov. 1831.*

Respectfully submitted,

**T. B. HOWARD,**  
*Comptroller General.*

*A List of Tax Collectors in default in 1831.*

COLLECTOR'S NAMES	COUNTY	YEAR	AMOUNT
John Boog	Camden	1803	874 87
John Boog	"	1804	414 05
Joseph Crews	"	1805	162 95
Joseph Crews	"	1806	582 72
Joseph Crews	"	1807	437 80
George H. Davidson	Bryan	1806	23 55
Peter H. Collins	Columbia	1807	47 43
Benjamin S. Lanier	Scriven	1807	22 80
Benjamin S. Lanier	"	1810	159 04
R. W. Williamson	"	1817	103 58
James Boston	"	1822	178 30
James Powell	Glynn	1806	79 31
James Powell	"	1807	69 47
James Powell	"	1809	254 30
James Kenedy	"	1814	1326 85
William Piles	"	1815	727 05
Robert Payne	"	1816 & 1817	2749 66
William Purvis	"	1818	734 79
John Stewart	Liberty	1811	138 42
Murdock McLeod	McIntosh	1801	137 93
John Couper	"	1803	937 06
John Couper	"	1804	1048 64
John Couper	"	1805	1079 14
John Couper	"	1807	865 16
William D. Taylor	"	1814	936 80
Peter Deveau	Chatham	1809	50 01
Peter Deveau	"	1810	11758 49
William Noble	Morgan	1803	20 72
Epps Duke	"	1811	102 22
Daniel S. Pierce	Willkinson	1812	333 95
Isaac Hall	"	1821	1135 35
David E. Kemp	Wayne	1819	9 77
David E. Kemp	"	1818	20 23
Lemuel Owen	Putnam	1819	4172 72
Silas Overstreet	Tattall	1818	418 25
Silas Overstreet	"	1819	410 19
Silas Overstreet	"	1820	460 43
Thomas H. Handley	Richmond	1819	7518 83
James Loyless	Warren	1820	1780 38
William A. Carr	Early	1820	29 41
William Waller, Sen.	Washington	1821	2181 92
Philip Bosworth	Fayette	1822	44 73
John Wells	Bryan	1823	52 28
Francis West	Fayette	1823	141 21
Edward Adams, Jun.	Jackson	1825	149 66
Richard Grimsley	Early	1825	146 38
John Caldwell	Fayette	1826	30 46
Joseph Echols	Coweta	1828	46 82
William Gilleland	Fayette	1828	524 29

John Counnell	Montgomery	1828	121 10
James C. Holmes	Pike	1829	62 25
Thomas Smith	Campbell	1829	24 47
Pleasant Hulsey	Hall	1829	68 31
John Tiner	Houston	1829	537 41
William B. Brooks	Marion	1829	20 35
William Watkins	Wilkes	1829	1037 79
James Bryce	Carroll	1829	104 86
Silas Reynolds	Coweta	1829	432 45
Jesse Lewis	Wayne	1829	18 74

*Comptroller General's Office,*

*Milledgeville, 7th November, 1831.*

The foregoing statement is respectfully submitted by your obedient servant,

**T. B. HOWARD,**  
*Comptroller General.*

# **A STATEMENT OF WARRANTS**

*Drawn by the Governor, on the Treasurer, in the political year 1831.*

NO.	DATE.	IN WHOSE FAVOR	ON WHAT FUND AND FOR WHAT PURPOSE.	AMOUNT.
<b>FUND FOR THE REDEMPTION OF THE PUBLIC DEBT.</b>				
1	Nov. 1, 1830.	Thomas Glascock	For $\frac{1}{8}$ th of an audited certificate for \$225 32	28 16
224	Apr. 16, 1831.	Eben'r. Jackson	For $\frac{1}{8}$ th of two " certificates amounting to \$1714 28	14 28
				\$242 44
<b>APPROPRIATION FOR IMPROVING THE ROADS AND RIVERS.</b>				
6	Nov. 9, 1830.	Thos. Pace	An advance to him as Superintendent	386
<b>APPROPRIATION FOR THE PENITENTIARY FOR 1839.</b>				
17	Nov. 18, 1830.	Orris Paine	For drawings and estimates of the erecting of cells and work shops	30
215	Mar. 24, 1831.	Philip Cook, P K P	To enable him to have 150 cells erected in the Penitentiary building	4970
				\$5000
<b>SPECIAL APPROPRIATION 1822.</b>				
20	Nov. 20, 1830	Asbury Hull, Tr. U.	For deficiency of dividend in October, 1830, on the University's Bank Stock	500
318	June 15, 1830	Asbury Hull, Tr. U.	" " April, 1831,	500
				\$10000

NO.	DATE.	IN WHOSE FAVOR.	ON WHAT FUND AND FOR WHAT PURPOSE.	AMOUNT
<b>ROAD AND RIVER FUND FOR 1831.</b>				
65	Dec. 29, 1830.	Thomas Pace	An advance to him as Superintendent	500
91	Jan. 6, 1831.	Thomas Pace	"	2000
93	" 10,	D. P. Hillhouse	"	3000
216	Apr. 11,	Thomas Pace	"	2500
217	" "	D. P. Hillhouse	"	3000
336	July 7.	D. P. Hillhouse	"	2500
338	" 8.	Thomas Pace	"	2500
414	Oct. 11.	D. P. Hillhouse	"	2400
416	" 14.	Thomas Pace	"	1600
				<b>\$20,000</b>

### PRINTING FUND, 1830.

NO.	DATE.	IN WHOSE FAVOR.	ON WHAT FUND AND FOR WHAT PURPOSE.	AMOUNT
2	Nov. 2, 1830.	S. W. Minor	For publishing Laws and the State's subscription for his paper 2 years	49 00
5	" 8,	Rose & Slade	advertisements in their paper	72 50
18	" 18.	Oliver P. Shaw	" " his	79 62
23	" 23	Mishuel Smith	" " "	78
27	" 27	Thomas A. Pasteur	" " "	99 12
38	Dec. 11.	Day & Keith	" " their	12
44	" 15.	Lamar & Marks	" " "	142
46	" 16.	M. Bartlett	" " his	92
48	" "	G. & W. Robertson	" " their	109 24
53	" 18.	A. H. Pemberton	" " his	41 40

NO.	DATE.	IN WHOSE FAVOR.	ON WHAT FUND AND FOR WHAT PURPOSE.	AMOUNT.
84	" 29.	J. G. M'Whorter	"	27 50
87	" "	J. G. Polhill	"	25 25
189	Jan. 5, 1831.	J. G. Polhill	the Statesman & Patriot	25 25
174	Feb. 11,	F. S. Fell	Federal Union	23 25
288	May 6,	George Oates	his paper	229 44
305	" 21	Grantland & Orme	State's subscription to Niles' Register, Richmond Enquirer; and National Intelligencer	25
306	" "	Van Ness & Co.	Balance due them for printing and binding Dawson's Com- pilation	26 12 50
401	Sept. 5	A. H. Pemberton	Publishing list of Pedlers and law relative to Gold Mines Advertising sale of Columbus lots in 1828 and 1829	38 50 30 94
				\$3797 26
PRINTING FUND, 1831.				
90	Jan. 5, 1831.	John G. Polhill	For printing done for and under contract with the Legislature	714
291	May 9,	S. Rose & Co.	" advertising list of pedlers in the Macon Messenger	17
302	" 17,	C. E. Bartlett	" in his paper the sale of four lots for the State	10
406	Sept. 16,	Camak & Ragland	" printing the laws and journals of 1830	3583 64
407	" "	Camak & Sagland	" publishing laws and advertisements for the State, print- ing blanks for Executive Department and five years subscription for Georgia Journal for the State up to November, 1831	338
412	Oct. 5	Van Ness Bethune & Lewis	" publishing advertisements for the State in the Columbus Enquirer	51 25
419	" 22	Grantland & Orme	" and laws in Southern Recor-	



DATE.	IN WHOSE FAVOR.	ON WHAT FUND AND FOR WHAT PURPOSE.	AMOUNT.
122 " 9	John G. Pollhill	der, printing blanks for public offices, and the State's subscription for said paper to February, 1832	256 12
		" publishing in the Federal Union advertisements for the State	19 25
			\$9,989 26
CONTINGENT FUND 1830.			
4 Nov. 6, 1830.	F. V. D'Launay	For fire wood furnished for the State	190
9 " 11,	Y. P. King	" services as State's Agent in relation to the Gold Mines	174
22 " 23,	Wm. W. Oslin	" insolvent list as Tax Collector Monroe county, 1833,	53
25 " 25,	William Rogers	" work done on Representative chamber	17 50
28 " 29,	Gideon Mason	" insolvent list as Tax Collector Jones county, 1828,	16 43
30 " 30,	E. Hamilton	" Bees Wax for Secretary of State's office	14 37
29 " 29,	T. F. Green	" Postage account of Executive Department from 9th September last, to this date	280 37
31 Dec. 1, 1830.	D. P. Hillhouse	" an advance to him as Superintendent under an approved resolution	3,926
32 " "	Thomas Pace	" an advance to him as Superintendent under an approved resolution	2,000
34 " 9,	Wm. Rogers	" work done on windows in Representative chamber	9 75
36 " 11,	Allen Cochran	" commissions on money received by him as sheriff for the State	8 24
42 " 14,	Wm. W. Farnum	" delivering laws and journals in certain counties	80

NO.	DATE.	IN WHOSE FAVOR.	ON WHAT FUND AND FOR WHAT PURPOSE.	AMOUNT.
45	" 16,	James P. Portis	" commissions on money received by him as Sheriff for the State	16 10
62	" 22,	Wm. Williams	" commissions on money received by him as Sheriff for the State	12 52
64	" 23,	C. Hines	" amount overpaid to Treasurer by Edwin Way as per approved resolution	17 63
88	" 31,	Hines Helt	" postage of letters to him as Treasurer	17 27
102	Jan. 21, 1831.	John Murray	" insolvent list at Tax Collector Henry County 1828	65 50
103	" 22,	T. B. Howard	" postage of letters to him as Comptroller General	16 75
175	Feb. 12,	David Bell	" insolvent list as Tax Collector Chatham 1829	128 77
176	" 16,	T. B. Stubbs	" articles furnished for public offices, &c.	41 37
198	Mar. 10,	T. S. Hood	" insolvent list as Tax Collector Jackson 1829	66 74
212	" 23,	Wm. Mears	" " Walton "	38 26
233	April 21,	A. M. Horton	" " Hancock 1828 and 1829	93 74
234	" "	Gerard Burch	" " Muscogee 1829	24 01
244	" 29,	James Law	" court cost on an injunction against trespassers on Gold Mines	80 75
247	" 30,	B. R. Bunkley	" insolvent list at Tax Collector Camden county 1829	13 78
284	May 2,	Jacob W. Cobb	" bringing return of Congressional Election from Lee county	19
426	Nov. 5,	Charles Gates, Jr.	" amount paid by him to an express sent to him while on public business in the Cherokee Nation	14
				7,441 85

NO.	DATE.	IN WHOSE FAVOR.	ON WHAT FUND AND FOR WHAT PURPOSE	AMOUNT
CONTINGENT FUND 1831.				
82	Dec. 27, 1830.	C. B. Hudson	For going express to the Sheriff of Hall county	50
97	Jan. 15, 1831.	Wm. Green	balance due him for stationary furnished in 1830	351 50
103	" 18,	John Marler	work done on Government House and for Comptroller's office	69 22
105	" 25,	Wm. Green	an advance to him to purchase stationary for the State	500
109	" "	John Manning	shovel and tongs for Senate chamber	4 50
114	" 28,	T. H. Keen	painting Canon and travelling Forge Carriages	16
166	Feb. 7,	Peter Fair	1st quarters pay as Messenger Executive Department	100
167	" "	Anthony Newson	" " of State House Guard, &c.	257 50
168	" "	Secretaries Ex. Dept.	fees on certain grants issued 1st quarter	168 18
169	" "	James Camak	1st quarters pay as an Inspector of the Penitentiary	56
170	" "	B. A. White	" " " "	56
171	" "	T. Fort	" " " "	56
173	" 11,	Craft & Green	knives tape &c, furnished for the State	29 7
178	" 18,	Edwd. Johnson	work done for public offices	17 70
182	Feb. 28, 1831.	Thomas F. Green	postage account of Executive Department from 30th November last to this date	5
232	April 20,	Jeremiah Griffin	amount directed by resolution to be paid him	417 3
239	" 23,	Justices Inferior court Gwinnett county	prison and officers fees in prosecution for crimes committed in Cherokee Territory	50
240	" "	Edw. L. Thomas	an advance to him as Surveyor of the Florida line	173 3
243	" 26,	Joel Crawford	to defray expenses of running " "	200 0
246	" 30,	Thomas F. Green	postage account of Executive Department from 28th February last to this date	4,000
				293 06

NO.	DATE.	IN WHOSE FAVOR.	ON WHAT FUND AND FOR WHAT PURPOSE.	AMOUNT.
278	May 2,	Peter Fair	" 2d quarters pay as Messenger Executive Department	100
279	" "	Anthony Newson	" " of State House Guard, &c,	222 50
280	" "	James Camak	" " as a Penitentiary Inspector	56
281	" "	T. Fort	" " "	56
282	" "	B. A. White	" " "	56
283	" "	Secretaries Ex. Dep't.	" fees on certain grants issued in 2d quarter	33 32
289	" "	James Camak	" an advance to him as Artist on Florida line	200
290	" 7,	Willis Whatley	" commissions as Sheriff on a sale of a fraudulent lot	3 76
298	" "	Isaac Moore	" insolvent list as Tax Collector Taliaferro county 1829	22 04
303	" 12,		" cost for arresting and prosecuting a criminal for an offence	81 51
	" 18,	Joshua Baker	committed in the Cherokee Territory	1000
304	" 19,	J Crawford & J H Couper	" to defray expenses of running the Florida line	168
311	Jun. 2,	Willis P Baker	" delivering the Laws & Journals in 16 counties	271 50
312	" "	Joseph Stovall	" " 14	9 44
317	" 14,	Peter Fair	" incidental expenses paid by him for the State	246
324	" 23,	James Jamison	" delivering Laws and Journals in 15 counties	284
325	" "	Rhesa Bostick	" " 17	194
329	" 29,	Wm. C. Powell	" " 16	10
330	" "	J. Irwin, Hitchcock, &c.	" State's subscription for American Farmer to March 1832	4 50
341	July 16,	I. T. Cushing	" refixing lightening rods to Government House and Magazine	24
344	" 20,	James Daniel	" coming express from Troup county with a letter relative to same	

NO.	DATE.	IN WHATEVER FAVOR.	ON WHAT FUND AND FOR WHAT PURPOSE.	AMOUNT.
317	"	Inspen of a Confidentialary	" articles made for the State and Government House and Arsenal	158.50
318	"	Joel Crawford	" to defray expenses, &c, of running Florida line	100
319	Aug 1,	Peter Pale	" 3d quarters pay as Messenger Executive Department	240
320	"	Anthony Dawson	" " of State House Guard, &c,	22.40
321	"	James Canak	" " as a Confidentialary Inspector	56
322	"	W. Fort	" " "	56
323	"	B. A. White	" " "	27.19
324	"	Secretaries Ex. Dept.	" fees on certain grants issued in 3d quarter	317.26
325	"	Thomas R. Green	" postage account of Executive Department, from 30th April, to 30th July last	238.86
326	"	James Law	" prison fees and costs on prosecution for crimes committed in Cherokee Territory	312.58
327	"	James Canak	" services and expenses as Artist on Florida line.	50
328	"	Miller Grieve	" to pay small incidental charges against the State	800
329	"	Edward L. Thomas	on account of his pay as Surveyor on the Florida line	1100
330	"	Joel Crawford	to defray expenses of running Florida line	904.46
400	Sept. 8	Sowell Woffolk	for expenses of preventing introduction of small pox into the State	100
401	"	J. Gohlson and E. C. Shackelford	the reward offered by proclamation for apprehending Thomas Holder	102.04
402	"	Thomas F. Green	for postage account of Executive Department from 30th July last to 1st instant	100
403	"	Benjamin Miles	" reward offered by proclamation for apprehending J. M'Clearly	

NO.	DATE.	IN WHOSE FAVOR.	ON WHAT FUND AND FOR WHAT PURPOSE.	AMOUNT.
408	" 23	John G. Park	" cost on a prosecution for a crime committed in the Cherokee Territory	11 31
409	Sept. 23, 1831.	William Brewster	For arresting, guarding, &c. a person charged with having committed an offence in the Cherokee Territory	29 59
410	" "	William Brewster	" subsisting and guarding eleven prisoners convicted of illegally residing in the Cherokee Territory attached to Gwinnett county	85
411	" "	William Brewster	" conveying the above-mentioned prisoners to the Penitentiary	172 12
413	Oct. 5	Penitentiary Inspectors	To pay the officers and guard of the Penitentiary	1200
417	" 21	Everard Hamilton	For bees wax for the Secretary of State's Office.	18 45
418	" "	Tho's. F. Green	" postage account of Executive Department from 1st September last, to 17th inst.	300 66
421	" 26	Wiley Harbin	" Jail fees of David Miller, charged with illegally residing in Cherokee Territory	33 03
423	" 29	Joel Crawford	" balance due for payment of the commissioners and expenses in running the Florida line	375 14
424	" 31	John Marlor	" work done on Government House	60 37
425	" "	Edward L. Thomas	" balance due him as surveyor on the Florida line	11 12
426	" "	George R. Clayton	To pay for an exemplification of the original bill, notices, and affidavits in the case of the Cherokee Nation against the State of Georgia, furnished by the Clerk of the Supreme Court, at the request of the Governor	48 65

NO.	DATE.	IN WHOSE FAVOR.	ON WHAT FUND AND FOR WHAT PURPOSE.	AMOUNT.
458	Nov. 5,	Peter Fair	" for fourth quarters pay, as Messenger of the Executive Department	100
459	"	Anthony Newsom	" of State House Guard and for candles for their use	257 50
460	"	James Camak	" as an Inspector of the Penitentiary	56
461	"	T. Fort	"	56
462	"	B. A. White	"	56
463	"	Sec'y Ex. Department	" their fees on lottery and fractional Grants in the first quarter	
				18,091 83

# APPROPRIATION FOR THE PURCHASE OF NEGROES TO IMPROVE ROADS AND RIVERS.

186	March 2, 1831	John G. Winter	For 1 negro purchased of him	400
218	April 12	Edward Cary, Cash'r.	" 2 negroes " for the State by David P. Hillhouse	1000
238	" 23	Low Taylor & Co.	" 1 negro "	457
245	" 30	Edward Cary, Cash'r.	" 2 negroes "	963
292	May 9	Edward Cary, Cash'r.	" 3 negroes "	1460
332	July 5	Edward Cary, Cash'r.	" 1 negro "	430
334	"	D. P. Hillhouse	" commission on amount paid for 10 negroes purchased by him for the State	31 02
				238
				4998

NO.	DATE.	IN WHOSE FAVOR.	ON WHAT FUND AND FOR WHAT PURPOSE.	AMOUNT.
MILITARY FUND, 1827.				
3	Nov. 3, 1830	John L. Morgan	For 13 days service in 1830, as a Division Inspector	52
8	" 11	Joshua Sutton	" " Brigade	116
13	" 18	P. T. Schley	" " "	44
26	" 25	G. A. Chandler	" " "	68
33	Dec. 36	Z. W. Tate	" " "	104
37	" 10	J. W. Fannin	" " Division	16
58	" 21	E. Strong	" " Brigade	36
164	Feb. 7, 1831	F. M. Stone	" 1st quarters pay as Military Store Keeper, Savannah	60
165	" "	T. H. Kennan	" " Milledgeville	100
237	April 21	Jas. P. Gaudner	" 9 days service in 1830, as a Brigade Inspector	36
276	May 2	F. M. Stone	" 2d quarters pay as Military Store Keeper, Savannah	60
277	" "	T. H. Kennan	" " Milledgeville	100
313	June 3	P. T. Schley	" 10 days service in 1831, as a Brigade Inspector	40
319	" 15	John Cureton	" " "	64
320	" 16	J. H. Cunningham	" " "	28
333	" 23	W. H. C. Mills	" " "	160
338	" 28	N. W. Long	" " Division	116
332	July 3	A. B. Hathaway	" " Brigade	52
339	" 9	N. B. Williams	" " Division	64
340	" 11	J. B. McCarter	" " Brigade	48
378	Aug. 1	F. M. Stone	" 3d quarters pay as Military Store Keeper, Savannah	60
379	" "	T. H. Kennan	" " Milledgeville	100
389	" 11	John C. Webb	" 14 days service in 1831, as a Brigade Inspector	56
390	" "	Mark Wilcox	" 30	120
391	" "	T. H. Kennan	" repairing cleaning and boxing up public arms	65 50



No.	DATE.	IN WHOSE FAVOR.	ON WHAT FUND AND FOR WHAT PURPOSE.	AMOUNT.
394	" 20	Wiley Williams	" 8 days service in 1831, as a Brigade Inspector	32
395	" 20	James A. Meriwether	" 8	32
404	Sep. 8	James W. Fannin, jr.	" 40 Division	160
415	Oct. 13	R. V. Hardeman	" 7 Brigade	28
420	" 26	Samuel Rockwell	" 3 Division	32
426	Nov. 5	F. M. Stone	" 4 quarter's pay, as Military Store, Keoper Savannah	60
457	" "	T. H. Kennan	" Milledgeville	100
				939 50

APPROPRIATION FOR COUNTY ACADEMIES.

No.	DATE.	IN WHOSE FAVOR.	ON WHAT FUND AND FOR WHAT PURPOSE.	AMOUNT.
7	Nov. 9, 1830.	Trustees of Newton county	For distribution made in 1830	332 91
10	" 16	" Lee	" amount appropriated in an act passed 20th Dec. 1823	815
11	" "	" Lee	" distribution made in 1823 and 1830	571 56
12	" 17	" Talbot	" 1830	382 91
13	" "	T. P. S. F. Irwin	" 1828 and 1830	571 56
16	" "	Trustees Jefferson	" 1830	382 91
24	" 25	" Lincoln	" "	382 91
35	Dec. 9	" Madison	" "	382 91
43	" 14	" Ogleshorpe	" "	382 91
50	" 17	" Campbell	" amount appropriated in an act passed 22nd Dec. 1829	815
51	" "	" Campbell	" distribution made in 1830	382 91
54	" 20	" Morgan	" "	382 91
55	" "	" Scriven	" "	382 91

NO.	DATE.	IN WHOSE FAVOR.	ON WHAT FUND AND FOR WHAT PURPOSE.	AMOUNT.
57	" 21	"	"	382.91
59	" "	T. P. S. F. Meriwether	"	571.56
61	" 22	Trustees Montgomery	1825 and 1830	571.56
63	" 23	Franklin "	"	571.56
65	" "	Thomas "	"	815
94	Jan. 12, 1831	Warren "	amount appropriated in act passed 22d Dec. 1826	161.39
99	" 15	Burke "	distribution made in 1831	161.39
107	" 25	Wilkes "	do	161.39
115	" 28	Bibb "	do	161.39
124	Feb. 1	Houston "	do	161.39
130	" 2	Bulloch "	do	544.30
132	" 4	Twiggs "	do	161.39
135	" 5	Richmond "	do	161.39
180	" 21	Clark "	do	161.39
183	" 28	Washington "	do	161.39
184	" "	Randolph "	do	161.39
185	March 1	Jones "	do	161.39
189	" 3	Putnam "	do	161.39
192	" 7	Muscogee "	do	161.39
194	" 9	Scriven "	do	161.39
197	" 10	Laurens "	do	161.39
199	" 11	Efingham "	do	544.30
203	" 14	Decatur "	1830 and 1831	544.30
205	" 17	Newton	do	61.39
206	" "	Upson	1831	\$1.39

NO.	DATE.	IN WHOSE FAVOR.	ON WHAT FUND AND FOR WHAT PURPOSE.	AMOUNT.
207	" 18	Pulaski	do	732 95
211	" 19	DeKalb	do	161 39
214	" 24	Taliaferro	do	161 39
219	April 14	Liberty	do	161 39
220	" "	Hall	do	544 30
221	" 15	Ware	do	544 30
223	" 16	Ware	do	188 65
226	" 18	Henry	do	161 39
231	" 21	Gwinnett	do	161 39
236	" "	Morgan	do	161 39
285	May 3	Pike	do	544 30
286	" 4	Hancock	do	161 39
287	" 6	Baker	do	161 39
297	" 12	Elbert	do	161 39
300	" "	Balwin	do	544 30
301	" 17	Jasper	do	161 39
308	" 25	Chatham	do	161 39
315	June 4	Greene	do	161 39
321	" 16	Fayette	do	161 39
327	" 25	Troup	do	161 30
				18,866 69

NO.	DATE.	IN WHOSE FAVOR.	ON WHAT FUND AND FOR WHAT PURPOSE.	AMOUNT.
POOR SCHOOL FUND.				
14	Nov. 17, 1820	T. P. S. F. Irwin county	For distribution of 1824, 1825, 1827 and 1830	471 86
15	" "	Jefferson "	do	547 07
21	" 20	Marion "	do	114 86
36	Dec. 9	Madison do	do	469 54
40	do 13	Bryan do	do	350 10
41	do 14	Effingham do	1824, 1825, 1827 and 1830	321 91
47	do 16	Morgan do	1830	1737 57
49	do 17	Laurens do	1827 and 1830	554 99
52	do 18	Burke do	1830	832 79
56	do 20	Scriven do	do	358 66
60	do 21	Montgomery do	do	168 61
92	Jan. 7 1831	Twiggs do	do and 1831	1336 71
95	do 13	Hancock do	1831	431
96	do do	Fayette do	do	162 86
101	do 20	Upson do	do	822 68
104	do 22	Jones do	do	684 54
105	do do	Jasper do	do	781 56
106	do 25	Wilkes do	do	537 46
110	do 26	Butts do	do	209 41
113	do 27	Monroe do	do	13 92
123	Feb. 1	Houston do	1830 and 1831	109 35
129	do 3	Oglethorpe do	1831	473 98
131	do do	Bulloch do	do	180 63
133	do do	Rabun do	do	346 02
			1827, 1830 and 1831	



NO.	DATE.	IN WHOSE FAVOR.	ON WHAT FUND AND FOR WHAT PURPOSE.	AMOUNT.
SPECIAL APPROPRIATION, 1831.				
66	Dec. 23, 1830.	C. Wellborn	For amount allowed him in the appropriation act for 1831	600
67	" "	E. E. Park	Clerk Committee on Finance	100
68	" "	R. L. Sims	him in appropriation act for 1831.	77
69	" "	Edmond Gresham	"	41
70	" "	T. F. Gibbs	"	92
71	" "	John Bethune	"	640
72	" "	Samuel A. Bailey	"	470
73	" "	H. M. Harmon	"	200
74	" "	R. K. Hines	"	400
75	" "	W. H. Weems	"	814
76	" "	B. D. Simms	"	712
77	" "	R. A. Nash	"	547
78	do do	C. C. Burch	do	1007 75
79	do do	W. Poe	do	275
80	do do	J. Clayton & W. L. Fambrough	do	29
81	do do	Jas. S. Moore	do	100
82	do 29	N. B. Julian	do	100
112	Jan. 26, 1831	Geo. R. Gilmer	do	406 25
162	Feb. 7,	Peter Fair	do	25
163	do do	Henry Darnell	do	25
213	Mar. 23,	Commissioners Camden county Academy	do	1456 26
231	April 20	James F. Lewis	Amount directed to be paid them by an act passed 23d Dec. 1830	101 40
274	May 2	Peter Fair	For a payment on a fraction sold by mistake, refunded	25
275	do do	Henry Darnell	do 2d quarter's pay for winding up State House Clock, &c.	25
337	July 7	John Miller	do do taking care of Senate and Rep. Chambers	5
			To refund him his a payment on a fraction sold by mistake	

No.	Date	in whose favor.	on what fund and for what purpose.	Amount.
346	do 21	Geo. R. Gilmer	For articles purchased for the Government House	52 95
376	Aug. 1	Peter Fair	do 3d quarter's pay for winding up State House Clock, &c.	25
377	do do	Henry Darnell	do do taking care of Senate and Rep. Chambers	25
396	do 27	Inspectors Penitentiary	To carry into effect the act of 1829 for the repair and reform of the Penitentiary building	3,000
454	Nov. 5	Peter Fair	For 4th quarter's pay for winding up State House Clock, &c.	25
455	do do	Henry Darnell	do do taking care of Senate and Representative Chambers	25
				\$9,934 95

# APPROPRIATION FOR THE PROTECTION OF THE GOLD MINES.

98	Dec. 29, 1829.	J. W. A. Sanford	an advance to him as Agent of the State and Commander of the Guard	5000
99	Jan. 15, 1831.	William Green	for medicine furnished for the Guard	19 63
111	" 26,	William Green	" a wagon for the use of the Guard	60
179	Feb. 21,	Nichols & Demming	" salt for the Guard	7,25
187	March 2,	Wiley & Baxter	" pepper for do	6
229	April 19,	J. W. A. Sanford	an advance to him as Agent of the State and Commander of the Guard	4500
348	July 16,	J. W. A. Sanford	" " "	5500
				\$10,092 92

# APPROPRIATION FOR SURVEYING THE CHEROKEE LANDS.

116	Feb. 1, 1831.	Thos. McClenon	an advance to him as a Sectional Surveyor	300
117	" "	E. L. Thomas	" "	300
118	" "	L. E. Dupree	" "	300

No.	DATE.	IN WHOSE FAVOR.	ON WHAT FUND AND FOR WHAT PURPOSE.	AMOUNT.
119	"	H. Owen	"	300
120	"	Lemuel Gresham	"	300
121	"	U. Lewis	"	300
122	"	A. Y. McGill	"	300
123	"	B. H. Sturges	"	300
126	"	T. M. Berrien	"	300
127	"	T. G. Sanford	"	300
128	"	Wm. C. Powell	"	300
200	March 12	Evans Shannon	"	300
125	April 16	H. Owen	the balance due him as a Sectional Surveyor	440 32
230	" 19	Wm. C. Powell	"	340 21
241	" 23	E. L. Thoms	"	706 07
242	" 25	H. Owen	"	149 29
293	May 9	Thomas McClendon	a further amount	613
294	" 11	Thomas G. Sanford	the balance	689 10
299	" 12	A. Y. McGill	"	1237 68
307	" 23	Charles McClain	an advance to	300
309	June 1	Evans Shannon	the balance due	390 52
310	" 2	T. M. Berrien	"	587 20
314	" 3	Ira E. Dupree	"	613 50
316	" 13	U. Lewis	"	601 25
322	" 21	Lemuel Gresham	"	605 47
331	July 1	Charles McClain	"	507 53
				11,331 19



No.	DATE.	IN WHOSE FAVOR.	ON WHAT FUND AND FOR WHAT PURPOSE.	AMOUNT.
CIVIL ESTABLISHMENT, 1831.				
136	Feb. 7, 1831,	George R. Gilmer	For his 1st quarters salary as Governor	750
137	" "	George R. Clayton	"	250
138	" "	E. H. Pierce	Secretary Executive Department	250
139	" "	D. M. Grieve	"	250
140	" "	Everard Hamilton	"	500
141	" "	Hines Holt	of State	500
142	" "	John Bethune	Treasurer	500
143	" "	T. B. Howard	Surveyor General	500
144	" "	John A. Cuthbert	Comptroller General	500
145	" "	William C. Dawson	Secretary of Senate	150
146	" "	Wm. H. Crawford	Clerk House of Representatives	150
147	" "	A. S. Clayton	Judge Superior Courts	525
148	" "	W. T. Colquitt	"	525
149	" "	T. G. Holt	"	525
150	" "	Wm. W. Holt	"	525
151	" "	Wm. Law	"	525
152	" "	C. B. Strong	"	525
153	" "	L. Q. C. Lamar	"	525
154	" "	George W. Crawford	"	525
155	" "	M. A. Cooper	Attorney General	56 25
156	" "	B. F. Hardeman	Solicitor General	56 25
157	" "	J. W. Hooper	"	56 25
158	" "	J. W. Jackson	"	56 25
159	" "	Thomas Porter	"	56 25
160	" "	R. L. Sims	"	56 25
161	" "	T. H. Tuppe	"	56 25
248	May 2	George R. Gilmer	Governor	750
249	" "	George R. Clayton	Secretary Executive Department	250

NO.	DATE.	IN WHOSE FAVOR.	OF WHAT FUND AND FOR WHAT PURPOSE.	AMOUNT.
250	"	E. H. Pierce	"	250
251	"	D. M. Grieve	"	250
252	"	Everard Hamilton	"	500
253	"	Hines Holt	"	500
254	"	John Bethune	Sec. of State	500
255	"	T. B. Howard	Treasurer	500
256	"	J. A. Cuthbert	Surveyor General	500
257	"	W. C. Dawson	Comptroller "	150
258	"	Wm. H. Crawford	Secretary of Senate	150
259	"	A. S. Clayton	Clerk House Representatives	525
260	"	W. T. Colquitt	Judge Superior Courts	525
261	"	T. G. Holt	"	525
262	"	W. W. Holt	"	525
263	"	L. Q. C. Lamar	"	525
264	"	Wm. Law	"	525
265	"	C. B. Strong	"	525
266	"	George W. Crawford	Attorney General	56 25
267	"	M. A. Cooper	Solicitor General	56 25
268	"	B. F. Hardeman	"	56 25
269	"	John W. Hooper	"	56 25
270	"	J. W. Jackson	"	56 25
271	"	Thomas Porter	"	56 25
272	"	R. L. Sims	"	56 25
273	"	T. H. Tripp	"	56 25
274	"	George R. Gilmer	Governor	750
275	"	George R. Clayton	Secretary Executive Department	250
276	"	E. H. Pierce	"	250
277	"	D. M. Grieve	"	250
278	"	Everard Hamilton	Sec. of State	500

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No.	DATE.	IN WHOSE FAVOR	ON WHAT FUND AND FOR WHAT PURPOSE.	AMOUNT.
355	"	Ilmes Holt	Treasurer	500
356	"	John Bethune	Surveyor General	500
357	"	T. B. Howard	Comptroller General	500
358	"	John A. Gilbert	Secretary of Senate	150
359	"	William C. Dawson	Clerk House Representatives	150
360	"	John H. Crawford	Judge Superior Courts	525
361	"	A. S. Clayton	do.	525
362	"	W. Colquitt	do.	525
363	"	T. G. Holt	do.	525
364	"	W. W. Holt	do.	525
365	"	L. Q. C. Lamar	do.	525
366	"	Wm. Law	do.	525
367	"	C. B. Strong	do.	525
368	"	George W. Crawford	Attorney General	56 25
369	"	G. A. Cooper	Solicitor	56 25
370	"	B. F. Hardeman,	do.	56 25
371	"	J. W. Hooper	do.	56 25
372	"	J. W. Jackson	do.	56 25
373	"	Thomas Porter	do.	56 25
374	"	R. L. Sims	do.	56 25
375	"	T. H. Trippe	do.	56 25
428	Nov.	George R. Gilmer	Governor	750
429	"	George R. Clayton	Secretary Executive Department	250
430	"	E. H. Pierce	do.	250
431	"	D. M. Grieve	do.	250
432	"	Everard Hamilton	do. of State	500

No.	DATE.	IN WHOSE FAVOR.	ON WHAT FUND AND FOR WHAT PURPOSE.	AMOUNT.
433	"	Hines Holt	Treasurer	500
434	"	John Bethune	Surveyor General	500
435	"	T. B. Howard	Comptroller General	500
436	"	John A. Cuthbert	Secretary of Senate	150
437	"	Wm C. Dawson	Clerk House Representatives	150
438	"	Wm H. Crawford	Judge Superior Courts	525
439	"	A. Clayton	do.	525
440	"	W. T. Colquitt	do.	525
441	"	T. G. Holt	do.	525
442	"	W. Holt	do.	525
443	"	L. Q. C. Lamar	do.	525
444	"	Wm. Law	do.	525
445	"	C. B. Strong	do.	525
446	"	George W. Crawford	do.	525
447	"	C. A. Cooper	Attorney General	50
448	"	B. F. Haudeman	Solicitor General	50
449	"	J. W. Hooper	do	50
450	"	J. B. Jackson	do	50
451	"	Thomas Porter	do	50
452	"	R. L. Sims	do	50
453	"	T. H. Trippe	do	50

533,800.00

# RECAPITULATION

Amount drawn for on	Fund for the redemption of the Public Debt,	1830
do	Appropriation for improving the Roads and Rivers,	2,861
do	Appropriation for Penitentiary for 1830,	5,000
do	Special Appropriation for 1829,	1,000
do	Road and River Fund for 1831,	20,000
do	Printing Fund 1830,	3,797 26
do	Printing Fund 1831,	9,984 26
do	Contingent Fund 1830,	7,441 75
do	Contingent Fund 1831,	18,091 53
do	Appropriation to purchase Negroes to improve Roads and Rivers,	4,997
do	Military Fund 1827,	2,209 50
do	Appropriation for County Academies,	18,866 69
do	Board School Fund,	21,570 46
do	Special Appropriation 1831,	9,284 98
do	Appropriation for protection of Gold Mines,	10,092 93
do	Appropriation for surveying the Cherokee Lands,	11,384 19
do	Coal Establishment 1831,	33,500
		<hr/>
		918,152 39

1881-1882

Wm. R. CLAYTON, Secretary Ex. Department.

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- 33 To amend the Judiciary law of 1799, in relation to bail, &c. so far as to authorize agents, attorneys in fact or at law, to hold to bail in all civil cases, p 140, 175, 392.
- 34 To manumit and set free Sophia, a person of color the property of Eli Fenn and to give her a name, 141, 174, 259.
- 35 To amend an act providing for the improvement of the roads and rivers of this State, &c. 171 259, 388.
- 36 To authorize Larkin Wilson to erect a bridge across the Towaliga river, p 171, 258, 322.
- 37 To alter the time of holding the summer session of the Superior Court of Wilkes county, p 74, 174, 322.
- 38 To alter and amend an act, to authorize the survey and disposition of the lands within the limits of Georgia, in the occupancy of the Cherokee tribe of Indians, &c. and to order the immediate survey, distribution and occupancy of the Territory aforesaid, p 186, 231, 247-'8, 325, to 332, 339, 340-'1-2, 347.
- 39 Providing for the call of a Convention to revise and amend the 3d 4th 7th and 8th sections of the 1st article of the Constitution, p 204, 306, 350, 352-'3.
- 40 To authorize Thomas S. Swain to establish a ferry upon his own land, opposite Jacksonville, on the Ocmulgee river in the county of Telfair, p 211, 258, 322.
- 41 To amend an act passed 1829, making Constables elective by the people and to raise their fees, so far as respects the county of Camden, 211, 258, 322.
- 42 To authorize each of the religious societies in Milledgeville, to rent or sell their parsonage lot, p 211, 258, 322.
- 43 For the relief of Edmund Pucket, p 211, 258, 389.
- 44 To alter the times of holding the Superior courts in some of the counties of the Southern circuit, p 211, 259, 396.
- 45 To amend the Patrol laws of this State, so far as respects the county of Camden, p 211, 258, 322.
- 46 To appoint Commissioners to survey and lay out a public market road from Columbus on the Chattahoochee, to St. Marys in Camden county, p 211, 258, 390.
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- 48 To divorce John Long and Lucy Long, his wife, 211.
- 49 To divorce Lewellen M. Robertson and Amelia E. Robertson, his wife, p 211, 258, 321.
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- 55 For the relief of William Quinn, 211, 258, 322.
- 56 To establish election precincts or districts in the several counties in addition to those already established hereinafter named, at the several places therein specified, &c. p 211, 258, 317, 333, 343.
- 57 To place a part of the public hands on a road, to commence on the Turnpike road leading from Augusta to Washington near Wrightsboro' and to pass through Crawfordville, Greensboro' Madison and Covington, &c. p 221, 308, 388.
- 58 To prevent the assemblage or collection of negroes, or free persons of color in this State, under pretence of religious worship or for any other purpose, without the express permission of their owners and in the presence of one or more responsible citizen or citizens, p 221, 307, 386, 406.
- 59 To loan to the town of Columbus a sum of money for the construction of a bridge across the Chattahoochee river at said town—and to provide for the payment of said loan, &c. p 221, 307, 386.
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- 64 To abolish " detentary Imprisonment in this State. . . pt in certain cases, to char . . . mode of punishment for crimes and misdemeanors and for other . . . es, p 241, 308, 345, 351, 382, 385.
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- 70 To add a part of Oglethorpe county, to Madison, p 290, 347, 369.
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- 78 To regulate the future election of members of Congress, p 290, 350, 368, 394.
- 79 To alter and amend the road laws of this State, so far as respects the county of Camden, p 290, 349, 368, 395.
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- 82 To amend the several acts regulating the court of common pleas for the City of Augusta, p 290, 348, 367.
- 83 To repeal the 1st section of an act to make constables elective by the people, and the mode of taking their bonds and to point out their d . . . &c. so far as relates to the county of Chatham, p 290, 348, 367, 395.

- 84 To authorise the Justices of the Inferior Court of Wilkes county, or a majority of them to hire or purchase negroes for the improvement of roads and bridges in said county, also to authorise the levying of an extra tax, &c. p 331, 348, 368, 385.
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#### A FEMALE IMPOSTER.

In a letter of the Baltimore correspondent of the Boston Atlas, of recent date, we find the following:—

'We have had among us for some time, a woman, who represents herself to be a widow of Dr. W., of Havana; sister of a lieutenant in our navy, and a native of South Carolina; who is travelling through the country for the purpose of seeing all our public institutions, of observing our customs and manners; and with the intention of writing a book, which is to be printed by the Harpers, of New York, after she leaves the country—because, as she says, "*she would not venture to print it whilst she remained in the States.*" You may have observed a notice of her in a letter from Schenectady, in the N. Y. Tribune—representing her to be "about forty, and not very prepossessing."—Tastes will differ about this. She came here about three weeks ago, stopped at the Eutaw House; left there and went to the Exchange, then removed to the Fountain Inn, and is now quartered upon some one else. She has in her possession letters from various public men in the country, and if they all be genuine, she has one from the Mayor of New York, Postmaster Page, of Philadelphia; Governor Shunk, of Pennsylvania; Gov. Call, of Florida; and several other public functionaries. She seeks for introduction on the strength of these letters—and then on second, sometimes first sight, presents a letter "regretting the necessity," etc., "disappointed in not getting money," and concludes by asking a loan of sixty or seventy dollars, "which she will return with interest and gratitude." In this way she has applied to some twenty or more of our citizens—but the publication in the Tribune saved all of them from being fleeced, except perhaps, a too good natured clergyman, who could not help giving her something though he believed her to be an imposter.' She did me the honor to select me as one of her intended victims, but only got into me for hack hire to one of our public institutions. Others were touched more heavily in the same way—but so far, the principal sufferers by her are the hotel keepers.

It appears that she started in this game of swindling some two years ago, if not before; for the Louisville Journal, I see, says she was there about that time, telling the same story, and borrowing money on the same pretences.

The same individual was in this city last winter, when she did Mr. McCardle, the then editor of the Tropic, the honor of selecting him as a victim. She sent him a note requesting an interview at the Waverly House, where she was then staying, and when he called, presented sundry letters of introduction from gentlemen of high character, among others, one from Gov. Jones, of Tennessee, and one from Albert Pike, Esq., of Arkansas. The demand for a loan sufficient to carry her to San Augustine, in Florida, followed immediately. She represented herself as the widow of a Dr. Wilson, of Havana, and sister to a lieutenant in the American navy, who she then said was on board of, or had been ordered to, the sloop of war St. Marys. Our predecessor, was disposed to do anything in his power to assist a lady in distress, but the story of the brother in the navy, induced him to make some inquiry, when he ascertained that no such name was to be found on the navy roll! He then declined to give the required aid, and the Widow Wilson remained some three weeks longer, when a few humane individuals who had been imposed upon by her representations, raised about \$75 for her, with which she left, to prey upon other and more gullible communities. She professed to have a book in preparation, but strictly refused to submit any portion of it to the inspection of those she sought to fleece. She scribbled verses with considerable facility, but was not remarkable for intelligence or good looks. She is, we should say, about 40 years old, with a hatchet face, fairish hair, pinched up nose and pucking mouth. She is, beyond

